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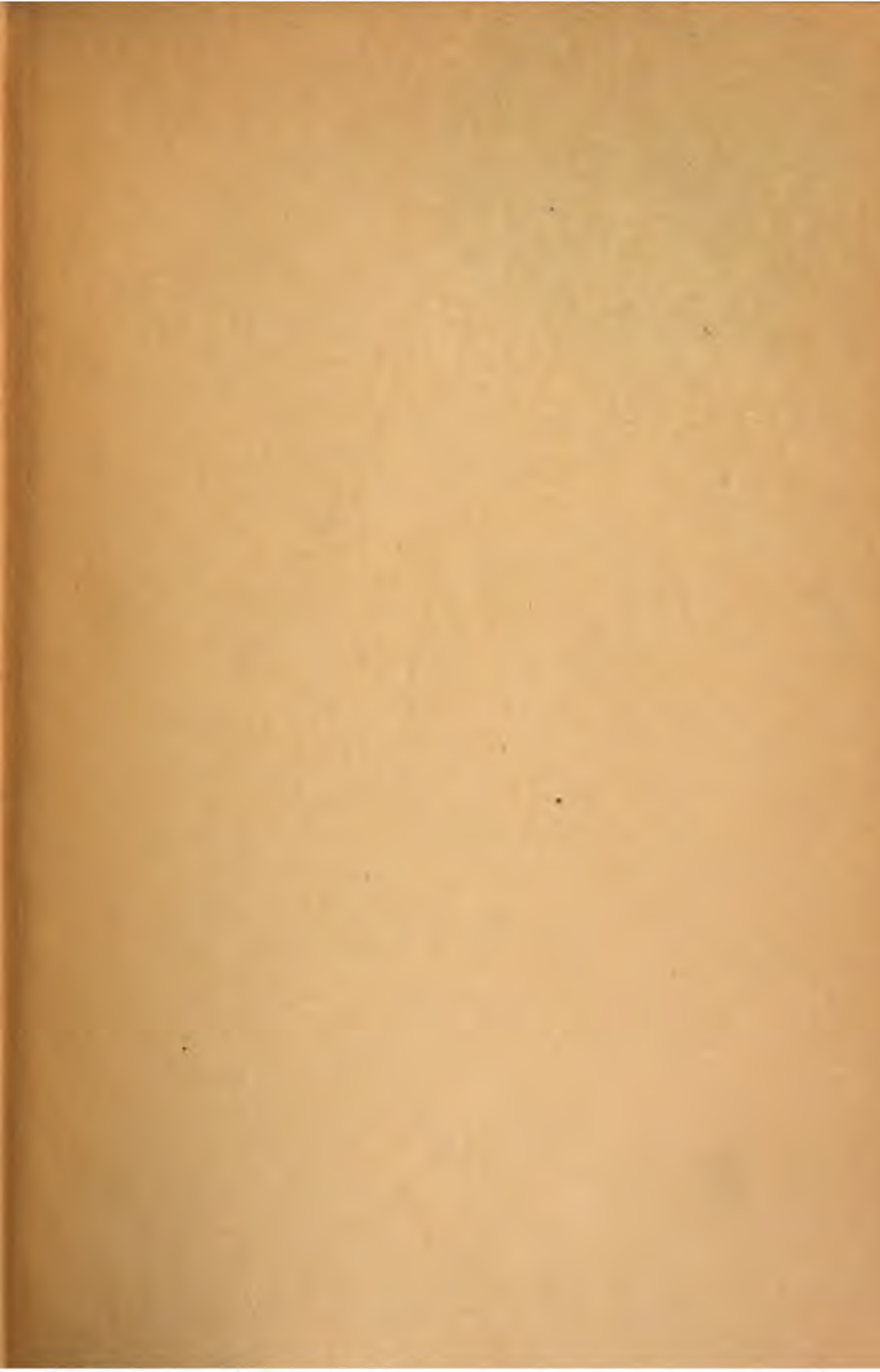
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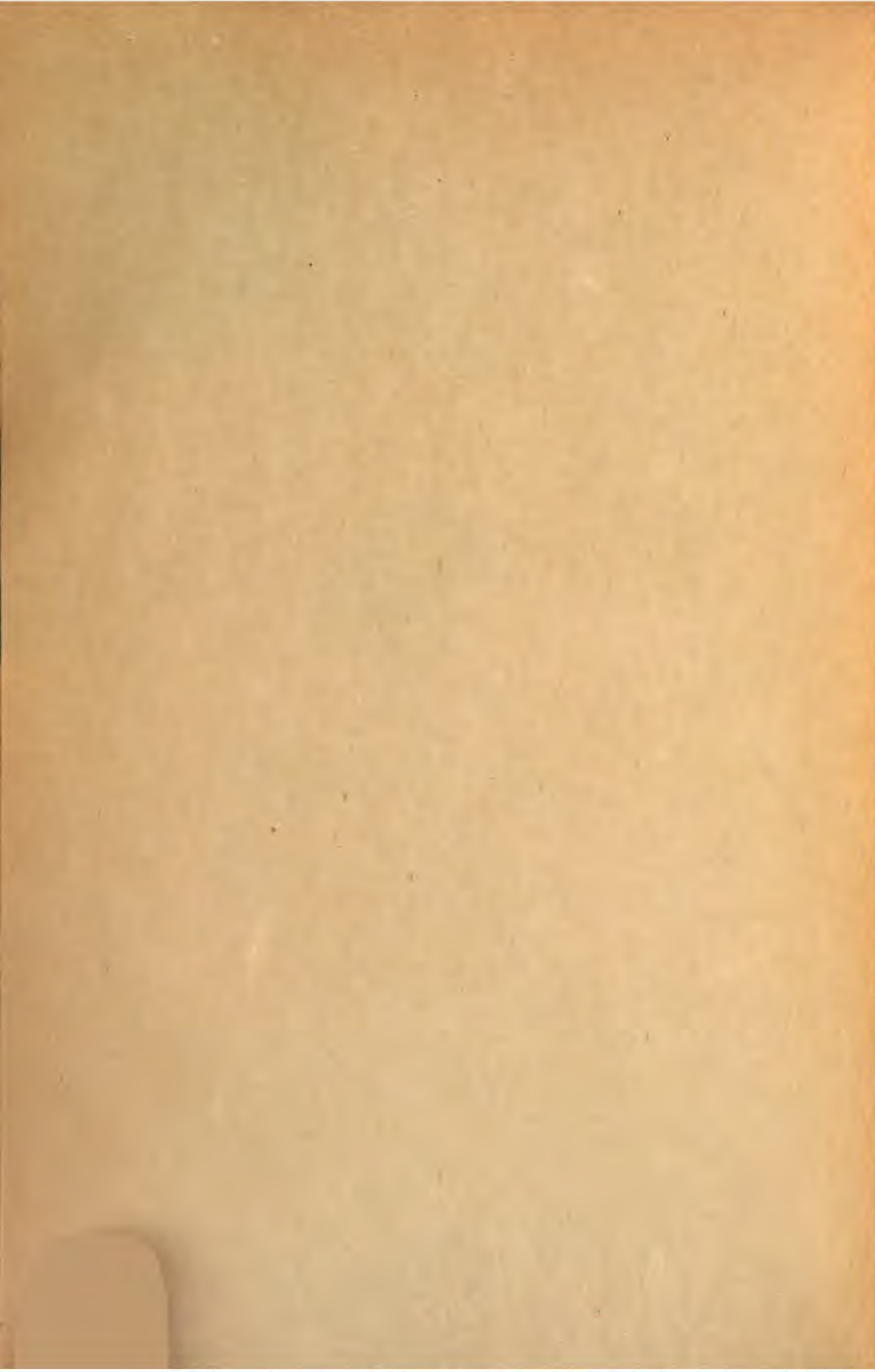
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GOVERNOR WILLIAM BLOUNT.

**From a painting by W. B. Cooper, after Peale, in the Tennessee
Historical Society.**

Danville.
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The American Historical Magazine.

VOL. VIII.

JANUARY, 1903.

No. 1.

WILLIAM BLOUNT AND THE OLD SOUTHWEST TERRITORY.

BY ALBERT V. GOODPASTURE.

The story of the old Southwest Territory offers a most inviting field to the student of the romantic as well as the heroic in American history. Its people were a race of pathfinders; they blazed their way in the woods, organized their own local governments, settled their relations with the Indians, and, finally, opened the door to the sisterhood of States. Their story is sometimes brilliant, often tragic, always heroic.

The first citizen of the Southwest Territory in position and authority, though not in point of time, was its governor, William Blount, who continued at the head of the government during the entire period of its existence, from 1790 to 1796.

Governor Blount's earlier career had been one of unusual activity and interest. He was of an old English family, being descended from the LeBlounts who came over to England with William the Conqueror. The founders of the family in this country were three sons of Sir Walter Blount, who emigrated to Virginia about 1669. Of these, Thomas crossed over into North Carolina and settled in the country bordering on Albemarle Sound. His son, Thomas, married a Miss Reading, and was the father of Jacob Blount, of Blount Hall, in Pitt County.

Jacob Blount owned a considerable estate, and took an active and somewhat prominent part in public affairs. He was twice married, first, to Barbara Gray, and after her death to Hannah Baker Salter. By his first wife he had eight children, and by his second, five. Nine of his thirteen children reached mature age.

Of these, the best known to Tennesseans are William, the subject of this sketch, and his half-brother, Willie, the third governor of Tennessee; though Thomas was a member of Congress, and John G. and Reading were both prominent in the politics of North Carolina.

William Blount, the eldest child of Jacob and Barbara Gray Blount, was born in Bertie County, North Carolina, March 26, 1749. He was educated in a manner commensurate with the ample estate and high position of his family. At an early age he began to take an interest in public affairs, and allied himself with the Western people. He was an active participant in the Revolutionary War, and the events leading up to it. In 1780 he represented Craven County in the North Carolina House of Commons, and again in 1783 and 1784.

In the session of 1783 he won, and reciprocated, the warm friendship of the leader and representative of the settlements on the Cumberland, in the new county of Davidson—Colonel James Robertson. He took a lively interest in the welfare of the new settlements, and his talents and experience in public affairs enabled him to render valuable assistance to their representatives. So much did Colonel Robertson appreciate the friendship of Mr. Blount, that he named a son, born June 15, 1785, in his honor. I will be permitted to remark in passing, that the family of William Blount Robertson has added lustre to both names; one son, William Blount Robertson, Jr., having been a judge in Louisiana, and another, Edward White Robertson, having been for many years a representative in Congress from the same State.

Soon after this Blount first became officially connected with Indian affairs, a branch of the public service in which he subsequently won great applause for his tact and diplomacy.

The Cherokee Indians having taken part with the British, towards the close of the Revolution, in 1783, North Carolina assumed title to their lands by right of conquest, and disregarding the boundaries established by the treaty of Holston in 1777, threw open to appropriation the whole of its territory, except certain specified reservations. William Blount was at that time a member of the Assembly of North Carolina. Under this act John Armstrong's land office was opened, and many tracts of land were entered within the former Indian reservation.

In the meantime the United States, acting under the Articles of Confederation, undertook to treat with the Cherokee Indians. The treaty was held at Hopewell, South Carolina, in November, 1785. By the boundaries stipulated therein many settlers, and a multitude of entries under the act of 1783, fell within the Indian reservation. At this treaty Blount appeared as the agent of North Carolina and entered a formal protest against it, on the ground that it violated the legislative rights of his state, inasmuch as it assigned to the Indians territory which had already been appropriated by the Legislature of North Carolina to the discharge of bounty land claims of the officers and soldiers who had served in the Continental line during the Revolution.

He had been a member of the Continental Congress in 1782, and was again a member in 1786 and 1787. As such he made a stout resistance to the ratification of the treaty of Hopewell. His championship of the frontiersmen made him many friends in the western district of North Carolina.

In 1787 he was appointed by Governor Richard Caswell as a delegate to the convention which assembled in Philadelphia, and framed the Constitution of the United States. His name is affixed to that instrument, along with those of Richard Dobbs Spaight and Hugh Williamson, the other delegates from North Carolina. George Washington presided over the convention, and their intimate association gave him ample opportunity to judge of the character and ability of Blount.

Blount was also a member of the Convention of North Carolina that ratified the Federal Constitution on the part of that State.

While engaged in these arduous labors he was not neglecting his friends in the West. When the General Assembly of North Carolina convened in the fall of 1787, James Robertson and David Hays, the representatives from Davidson County, presented a formal statement of the condition of their constituents. William Blount assisted them in framing their memorial. It contains two items which form the keynote to Blount's public life. It says:

They and their constituents, they say, have cheerfully endured the most unconquerable difficulties in settling the Western country, in full confidence that they should be enabled to send their produce to market through the rivers which water the country; but they now have the mortification, not only to be excluded from

that channel of commerce by a foreign nation, but the Indians are rendered more hostile through the influence of that very nation, probably with a view to drive them from the country, as they claim the whole of the soil.

Their allusion is plainly to the Spanish claim to the exclusive right to navigate the waters of the lower Mississippi river. That sentence is immediately followed by this one:

They call upon the humanity and justice of the State, to prevent any further massacres and depredations of themselves and their constituents, and claim from the Legislature that protection of life and property which is due to every citizen; and they recommend, as the most safe and convenient means of relief, the adoption of the resolves of Congress, of the 26th of October, last.

The resolution of Congress referred to recommended to the several States, the cession of their Western lands to the United States. The memorialists represented one of the Western settlements of North Carolina, and the granting of their petition meant their separation from the mother State, immediate Federal protection, and ultimate admission to the Union as a State.

From 1788 to 1790 Blount was a member of the North Carolina Senate, from Pitt County. It is probable that his special purpose in going to the Senate was to pass an act ceding the Western territory of North Carolina to the United States, in pursuance of the policy recommended by Congress, which was being generally adopted by the States. Such an act had been passed in 1784, but, after having given birth to the romantic State of Franklin, was repealed the same year. Franklin having collapsed in 1788, the subject was now being pressed again. Senator Blount was its earnest advocate, as was foreshadowed by the memorial of the Cumberland settlers in 1787. Finally, the second act of cession was passed in December, 1789, and the deed of cession was accepted by the United States, April 2, 1790. The Southwest Territory was erected May 26, 1790. Its inhabitants were given the same privileges, benefits and advantages enjoyed by the people of the Northwest Territory, with a similar government, except as otherwise provided in the act accepting the deed of cession.

The chief officer of the new territory was, of course, to be the governor. There were many applicants for the position. Patrick Henry recommended Mr. Mason, of Virginia. General Daniel Smith, of Davidson County, who was afterwards appointed Sec-

retary of the Territory—not by the Governor, but by the President—recommended William Blount. The propriety of appointing a citizen of the State which had made the cession was obvious. Blount's influence in causing the cession to be made; his popularity with the people of the new territory; and President Washington's personal knowledge of his patriotism, integrity and ability, turned the scales in Blount's favor. He was appointed Governor of the Southwest Territory June 8, 1790. In addition to his appointment as governor, he was also made Superintendent of Indian Affairs for the Southern District, a difficult and delicate position, which required alertness, energy and diplomacy.

Having received his appointment, he met with difficulties in the organization of his government which seem almost incredible in this day of newspapers, railroads and telegraphs. He could not find a single copy of the ordinance for the government of the Northwest Territory in the State of North Carolina! It was as late as August 18, 1790, before he could obtain a copy from Philadelphia, owing to the distance and delay of the post. He then set out for the territory, going by way of Governor Martin's, in Guilford County, North Carolina, for the purpose of procuring from him a proclamation announcing the acceptance by Congress of the deed of cession. This was considered the more important on account of the recent organization of the Franklin government under the cession of 1784, before its acceptance, and the unhappy consequences which followed it.

At Governor Martin's he was met by unexpected information which made it necessary for him to repair again to the seat of government to consult the President. He, therefore, forwarded a copy of the ordinance and some other papers, to the territory by Major George Farragut, father of the distinguished Admiral Farragut, and changed his course towards Philadelphia. This was September 6, 1790.

Having dispatched the business that carried him to the East, he again turned his face towards the Southwest Territory. At Alexandria, Va., the oath of office was administered to him by Justice James Iredell, of the United States Supreme Court, on September 30. On October 11 he reached the house of William Yancey, in the Southwest Territory, and announced himself ready to proceed with the duties of his appointment.

On October 22 he converted Washington County, North Carolina, into Washington County, Southwest Territory, and the next day assembled the persons holding commissions in the county at the court house in Jonesboro, and officially notified them of the various acts, ordinances and proclamations relating to the territory, and exhibited his appointment and qualifications as its governor. After reading the ordinance for the government of the Northwest Territory, he concluded his address as follows:

By this ordinance, gentlemen, you are informed that the government of this territory is to be administered by officers appointed by Congress, or by the Governor under their authority. The President has been pleased to appoint the judges and secretary, and I shall now proceed to appoint the necessary officers for the County of Washington, whose duty it will be to administer the government according to the laws of North Carolina as declared in force and use by the act of cession, and the laws and ordinances of the Congress of the United States.

He then appointed officers, civil and military, for the county. Proceeding thence to Sullivan County, he reorganized it in like manner, on October 25. Continuing in this way, he successively reorganized the counties of Green and Hawkins; and the four counties into Washington District, Southwest Territory. He then crossed the mountain, and on the 15th of December, 1790, reorganized the counties of Davidson, Sumner and Tennessee, and the District of Mero, which was composed of these counties.

After organizing the Territorial Government in the various counties and districts, Governor Blount turned his attention to Indian affairs. The boundary line prescribed in the treaty of Hopewell, already mentioned, had never given satisfaction either to the Indians or the whites. Its violation by the latter called forth a vigorous proclamation by Congress, in 1788. After the cession of 1789, President Washington declared it his purpose to carry into faithful execution the treaty of Hopewell, "unless it should be thought proper to attempt to arrange a new boundary with the Cherokees, embracing the settlements, and compensating the Cherokees for the cession they should make." The Senate authorized a new treaty, and instructions were issued to Governor Blount, August 11, 1790, to conclude a treaty of session with the Cherokees.

In pursuance of his instructions, Governor Blount convened the Indians at White's Fort, where Knoxville was afterwards laid out. The treaty was held at the mouth of the creek that flows at the foot of Main and Cumberland streets, and empties into the river at the end of Crozier street, and was concluded July 2, 1791. So successful was Governor Blount in his negotiations, that his treaty was not only ratified by the Senate, but the Secretary of War, advising him of that fact, tendered him the thanks of the President of the United States for the able manner in which he had conducted the treaty, and for the zeal he had uniformly evinced to promote the interests of the United States, in endeavoring to fix peace on the basis of justice and humanity.

Governor Blount was in equal favor with the Indians. On the 26th of May, 1792, he visited them at Coyatee to see a division made of the goods for the first annual payment under the treaty. They built a house for his reception, and erected over it on a high pole the standard of the United States. As he approached the village the Indians desired him to halt until they should be ready to receive him. In a short time they announced the completion of their preparations. There were supposed to be two thousand present, who were drawn up in two lines, and the governor and his escort passed between them. As he rode down the lines they fired a salute which was kept up till he reached the stand. Then joyous shouts were raised from every quarter, and when he alighted under the standard of the United States, the whole number surrounded him with demonstrations of the greatest pleasure.

Governor Blount had married in 1778 Miss Mary Grainger, the charming and accomplished daughter of Colonel Caleb Grainger, of Wilmington, North Carolina. Upon his elevation to the governorship of the Southwest Territory he did not at once take his family to the West. He established his temporary headquarters at the house of William Cobb, a wealthy emigrant from North Carolina, of some taste and much hospitality, who had settled in the fork of Holston and Watauga rivers near the Watauga Old Fields. While here he let a contract for building his permanent residence at White's Fort, at the junction of the Holston and French Broad. This place he seems to have selected even before he reached the territory. James Cole Montflorenc, the diplomatic Frenchman, who mingled much in the affairs of the Western set-

tlers, writes General Smith on August 16, 1790, after congratulating him on his appointment as Secretary of the Territory and urging him to use his great influence to fix the seat of government in Mero District, that he "was informed on Holston that our Governor had determined to reside about the mouth of French Broad." The town was laid off in 1792, and called Knoxville, and the county, which he erected the same year, Knox, both in honor of General Knox, who was then Secretary of War.

His wife and sons joined him at Mr. Cobb's, January 2, 1792. He had two sons: William Grainger, who succeeded John Sevier as a member of Congress from the Knoxville district; and Richard Blackledge, who afterwards moved to Montgomery County. They were also accompanied by his brother, Willie, afterwards distinguished as the third governor of Tennessee. His daughters remained at Tarboro with their aunt, Mary Sumner, wife of Thomas Blount, who was representing Tarboro district in Congress at the date of his death in 1812. She was a daughter of the illustrious soldier, General Jethro Sumner. Governor Blount left four daughters, two of them, however, were not born at this time. Ann, the eldest, married Henry I. Toole, and after his death, a Mr. Hadley, both of North Carolina. Mary Louisa married Pleasant M. Miller (who, at one time represented the Knoxville district in Congress), and was the mother of a family of children, who have borne honorable names, and rendered distinguished services to their country. Barbara, the third daughter, is of especial interest, because College Hill, on which the University of the State is now situated, at the settlement of Knoxville was christened Barbara Hill, in her honor. She herself was educated there, and received the highest mark of credit bestowed by President Carrick. She married the distinguished patriot and soldier, General Edmund Pendleton Gaines. The fourth daughter, Eliza, married Dr. Edward Wyatt, a surgeon in the United States army.

About the first of March, 1792, they opened the Gubernatorial Mansion, in Knoxville—a weatherboarded log house—which is said to have been considered a marvel of wealth and luxury at that day; and which they made famous by their lavish hospitality and brilliant entertainments. Mrs. Blount has her name preserved in the geography of the State by the town of Maryville and the County of Grainger, as Governor Blount has his name com-

memorated by the town of Blountville and the County of Blount.

It is beyond the scope of this paper to recount the Indian warfare of the period; or the constant and delicate labors of the governor in protecting the settlers, and at the same time keeping within the restrictions of the Federal government. However, he brought to the aid of his indomitable energy such administrative ability and diplomatic skill as to accomplish the very difficult task of rendering his services satisfactory, both to the government and the people of the territory.

From the start it was his purpose and policy to give the people of the territory the largest measure of self-government within his power. Under the ordinance of 1787 the people were entitled to representatives in the General Assembly, as soon as the territory should contain five thousand free male inhabitants. In 1791 Governor Blount caused a census to be taken, from which it appeared that the territory contained the requisite population. Accordingly he passed an ordinance October 19, 1793, for the election of representatives. They were called to meet February 26, 1794, in order that the nomination of the counsellors who would form the upper house of the Assembly might be laid before the Congress then in session. They nominated ten persons as counsellors, as follows: James Winchester, William Fort, Stockley Donelson, Richard Gammon, David Russell, John Sevier, Sr., Adam Meek, John Adair, Griffith Rutherford and Permenas Taylor. Of these the President appointed Griffith Rutherford, John Sevier, Sr., James Winchester, Stockley Donelson and Permenas Taylor. The House of Representatives was prorogued March 1, 1794.

The first session of the Territorial Assembly met August 25, 1794. They at once began to take steps looking to the admission of the territory into the Union as a state. On September 4, the Legislative council passed a resolution requesting the governor to cause a new census of the people to be made on the last Saturday in July, 1795, similar to that he had ordered in 1791. The House of Representatives concurred in the resolution on the next day. The resolution did not declare the purpose of the census. But the day before the Assembly was prorogued it passed a resolution requesting the governor to direct, that when the census was taken the sense of the people might at the same time be

enquired into, how far it might be their wish for admission into the Union as a State.

The governor did not immediately order a census as requested, but he went straight to the real object of the resolution, which was to have the Territory admitted into the Union as a State. It had a right to admission as soon as it should contain 60,000 free inhabitants. But up to that time no territory of the United States had been admitted into the Union. Governor Blount's first object was to ascertain what Congress might consider the necessary steps to be taken for that purpose. One member of Congress thought an act might be passed providing for the admission of the Territory, and allowing the people to avail themselves of it or not, as they liked. Dr. James White, father of Edward Douglass White, one time Governor of Louisiana, and grandfather of Justice Edward Douglass White, of the United States Supreme Court, was the Territorial delegate in Congress. After canvassing the matter privately, he reached the conclusion that Congress could not be induced to act in advance of an application on the part of the Territory, and advised the calling of a convention to frame a constitution, to take effect as soon as Congress should pass an act of admission.

Immediately upon the receipt of Dr. White's letter, Governor Blount called an extraordinary session of the Assembly to meet at Knoxville on the last Monday in June, 1795, to take the matter into consideration. The Assembly passed an act providing for the enumeration of the inhabitants of the territory, and authorizing the governor, in case such enumeration showed sixty thousand inhabitants, to call a constitutional convention.

The enumeration showing the requisite population, Governor Blount called a constitutional convention to meet in Knoxville, on the 11th day of January, 1796. The convention convened at the time specified, and Governor Blount was chosen as its president. It is not my purpose to detail the labors of the convention further than to draw attention to the fact that it was at the instance of Governor Blount the convention adopted that section of the Bill of Rights declaring the inalienable right of the citizens of this State in the free navigation of the Mississippi river. This was aimed at the Spanish claim, and was in line with the Cumberland memorial of 1787.

When the General Assembly met on the 28th of March under the constitution of 1796, the Territorial government ceased, although the State was not admitted to the Union until the 1st of June. Governor Blount was elected one of the United States senators from the new State of Tennessee.

Ten years before this date the Federalist party had been disposed to concede to Spain the exclusive navigation of the Mississippi river for a term of years. Now the same party opposed the admission of Tennessee to the Union. At the next election Tennessee was the ardent supporter of the Republican candidates for President and Vice President. In a letter to Governor Sevier, September 26, 1796, Senator Blount declares it his opinion "that it will be the true interest of Tennessee in particular, and of the Union in general, to promote the interest of Jefferson and Burr for President and vice President." The Federalist party, however, prevailed, and Adams was elected President.

I now approach the most unhappy period of Governor Blount's life.

The United States were in imminent danger of a war with France. England had agreed to the free navigation of the Mississippi river in 1783; Spain had yielded it in 1795. It was now rumored that Spain had by a secret treaty ceded Florida and Louisiana, including both banks of the Mississippi river, to France. France had no stipulation with the United States for the free navigation of the Mississippi, and in the then warlike attitude of the two countries none could be expected. The West had little to hope from the party represented by President Adams.

In this state of affairs Senator Blount opened negotiations—or at least, prepared to open negotiations—with England, for the purpose of giving England and not France control of the Spanish possessions. Pending his scheme, he wrote his celebrated letter to Carey. He wished Carey to maintain his credit with the Indians, and pointed out means for its accomplishment, some of which were at the expense of the President. At a time of great political excitement this letter fell into the hands of President Adams. He at once transmitted it to the Senate, with the result that Blount was summarily expelled from that body. The House afterwards preferred articles of impeachment against him, but the Senate, after mature deliberation, dismissed them for want of jurisdiction.

The details of Blount's scheme have never been disclosed. It is certain that it involved neither moral turpitude nor disloyalty to his country. He perceived more clearly, and felt more deeply, than any other statesman of his time the importance of the Mississippi river to this Western country. Jefferson felt its importance some years later, and was willing to strain the timbers of the constitution to effect the Louisiana purchase. Blount had agitated the question for ten years. It now looked like all that had been gained in the Spanish treaty would be lost by the French purchase. And distrusting the views of the Adams government, his impetuous patriotism led him into the error of undertaking by his own diplomacy to avert the impending calamity. But of all the prominent men in Tennessee, who were then, and continued to be his personal and political friends, not one was taken into his confidence—a sufficient proof that he did not contemplate a military invasion from Tennessee.

After his expulsion he returned to Tennessee, and was received with open arms by his fellow citizens. Upon receiving an exaggerated account of Senator Blount's prosecution, General Robertson, the cool, calm, clear-headed Father of Tennessee, wrote Senator Cocke: "I never could have judged the latter to have been so criminal, but suppose it has operated against my friend as a public man, at present. You will think right that we have one in Congress, and from the abilities and friendship between you and Jackson I think you two can better serve the State than others, as all hope of Blount is lost." A few months later, Governor Blount writes Robertson: "I cannot omit the occasion to acknowledge the gratitude and attention I have received, since my return to Tennessee, from the citizens without exception; I mean so far as I have seen or heard, and I have seen many of them, and have received many friendly letters from such as I have not seen. I have not words to express how much I feel myself their debtor for such attention, and particularly at such a critical period of my affairs, and I hope I may with truth add that the charge of ingratitude will never lay against me."

Soon after Governor Blount's return to Tennessee, Speaker James White, of Knox County, resigned his seat in the Senate. Governor Blount was elected to fill the vacancy, and with great unanimity chosen Speaker. Before the people of his State had

further opportunity to testify their confidence in him, he departed this life, March 21, 1800, at the age of fifty-three years. A plain marble slab marks the spot where his remains sleep in the church yard of the First Presbyterian Church in Knoxville.

Dr. Ramsey describes him as "remarkable for great address, courtly manners, benignant feelings, and a most commanding presence. His urbanity—his personal influence over men of all conditions and ages—his hospitality, unostentatiously, but yet elegantly and gracefully extended to all, won upon the affections and regard of the populace, and made him a universal favorite. He was at once the social companion, the well-bred gentleman, and the capable officer."

THE GENESIS OF THE PEABODY COLLEGE FOR TEACHERS.

BY DR. W. R. GARRETT.

This institution was opened December 1, 1875, under the name of "The Peabody State Normal School of the University of Nashville." It was established by the co-operation of the State of Tennessee, the University of Nashville, and the Peabody Education Board. It was organized as the State Normal School for Tennessee, although its projectors entertained from the beginning plans looking to a much wider sphere. It is the purpose of this sketch to lay before the reader the several steps of its original foundation, and its development into the leading college for teachers in the South.

Perhaps the first conception of converting the old University of Nashville into an institution for the training of teachers originated in the mind of Dr. J. Berrien Lindsley, Chancellor of the University of Nashville. As early as 1867, the year in which the gift of Mr. Peabody was made, he suggested to the Board of Trustees that correspondence should be opened with the Peabody Education Board, and was appointed to correspond with Dr. Barnas Sears, the general agent. Dr. Sears gave favorable consideration to the plan of establishing a normal school in co-operation with the university, but required as a condition that such school should be connected with a public school system, and should be under control of the State. January 22, 1869, Hon. Samuel Watson, Sr., of Nashville, one of the trustees of the University of Nashville, and a warm advocate of public schools, was elected a member of the Peabody Board, and at once became a leader in the movement to establish a better system of public education and a State Normal School.

November 7, 1871, the State Teachers' Association assembled in the State capitol at Nashville, the "president, ex-Gov. Neill S. Brown, in the chair." The powerful aid of this body was given in favor of the movement to establish an efficient public school

system and a State normal school. The minutes say: "Gov. John C. Brown delivered an address of welcome. He spoke earnestly in favor of a thorough system of common schools." Strong speeches were made, and strong resolutions were adopted in favor of public schools. A committee was appointed, consisting of J. Baldwin, S. Y. Caldwell and A. L. Mimms, to report on the legislation needed.

President B. W. McDonnold, of Cumberland University; Chancellor E. Kirby-Smith, and others, advocated a State normal school. Professor J. E. Scoby offered the following resolution, which was adopted:

"That the chair shall appoint a committee of five, who shall investigate and report at the next meeting of this Association, any feasible plan of securing to the State of Tennessee the manifest advantages of a normal school system." Dr. B. W. McDonnold, Hon. S. Watson, Dr. J. B. Lindsley, Supt. S. Y. Caldwell, and Rev. J. Braden were appointed the committee. Hon. S. Watson was elected president of the Association, and the president and the executive committee were empowered to act for the Association until its next meeting.

The executive committee effected an arrangement by which an active agent was put in the field to advocate the establishment of an efficient public school system and a normal school. At that time the public school system was totally inefficient; there being no State tax, and no State supervision or control. The State Treasurer held, *ex officio*, the title of State Superintendent of Public Instruction, but had no duties or powers with respect to education.

By arrangement between Dr. Sears and the State Treasurer, Wm. Morrow, it was agreed that the Peabody Fund would pay a salary of \$1,500 to a competent assistant, who should be selected by the State Teachers' Association, and appointed by Dr. Morrow as Assistant Superintendent of Public Instruction. Col. J. B. Killibrew was elected to this position by the executive committee, and at once entered upon the duties of the office, January, 1872. His efficient work is set forth in his able report of March 14, 1872. His services contributed much to the subsequent passage of the public school law of 1873. The executive committee continued its efficient work by appointing a committee, January

9, 1872, to present to the Legislature, at its approaching extra session, "such amendments to the present school law as will give it greater efficiency." This committee consisted of ex-Gov. Neill S. Brown, J. O. Griffith, S. Y. Caldwell, and J. Frizzell. It being understood that Judge Watson, president of the Association, had prepared a school bill, the committee, after the adjournment of the Association, took Judge Watson's bill into consideration, and in conference with the officers of the Association, matured a bill, which was presented to the Legislature by Senator W. P. Jones, but failed to become a law. This bill contained a provision for a State Board of Education, and the establishment of a normal school. The friends of public education, however, did not despair. A meeting of the State Teachers' Association was held in Nashville, January 22nd and 23rd, 1873, during the session of the Legislature. A committee was appointed to memorialize the Legislature, consisting of Hon. Samuel Watson, ex-Gov. Neill S. Brown, J. B. Killibrew, H. Presnell, Rev. O. Tate. The Association adopted a series of resolutions instructing this committee, from which the following is quoted:

"1. *Resolved*, That the Memorial Committee be instructed to memorialize the Legislature in favor of a system of public free schools, with the following authorities, to wit: A State Board of Education, a State Superintendent, a County Board of Education, and District School Commissioners, with the usual powers granted to such authorities."

After extended discussion, the Association adjourned, leaving its executive committee to represent the Association in pressing the matter before the Legislature.

The executive committee consisted of S. Y. Caldwell, Rev. A. W. Nelson, R. W. Weakley, John Frizzell, and Rev. H. S. Bennett.

The committee, after consultation with members of the Legislature, decided to separate the pending bill into two bills; the first a public school bill, and the second a normal school bill. The public school bill, drafted by Supt. S. Y. Caldwell, omitted the features of State Board of Education, County Board of Education and the Normal school. This bill, with but little change, was enacted into the present public school law, March 6, 1873.





COLLEGE HALL, PEABODY COLLEGE FOR TEACHERS.

The act was approved, March 15, by Governor John C. Brown, who had all along been its warm friend.

The normal school bill provided for a State Board of Education, an appropriation of \$6,000 from the State for the benefit of a normal school, with authority to the State board to accept a like amount from the Peabody Fund, and other donations. This bill failed to become a law.

The members of the State Teachers' Association and the friends of education were delighted with this much of victory, and were resolute to continue the fight until a normal school should be established.

In January, 1875, the newly elected Legislature met, and Honorable James D. Porter was inaugurated as governor. The State Teachers' Association again entered the field. In acceptance of its invitation, Dr. Barnas Sears, General Agent of the Peabody Fund, again visited the State, and attended a meeting of the Association. He renewed his former offer to contribute \$6,000 per annum to the support of a normal school, on condition that the State would pass suitable laws for its establishment and government, and would contribute an equal amount to its support. Honorable Leon Trousdale, State Superintendent of Public Instruction, entered cordially into the plans of the friends of the normal school.

An interview was arranged with Governor Porter. Honorable Samuel Watson, President of the State Teachers' Association, and a member of the Peabody board, accompanied by Dr. J. Berrien Lindsley, the prime mover in the agitation for the normal school, and Dr. Barnas Sears, the General Agent of the Peabody Fund, called at the executive office. Governor Porter received them cordially. At this conference, the matter assumed its final shape. The visitors requested Governor Porter to send a special message to the Legislature, urging the passage of a normal school law with an appropriation of \$6,000 per annum to meet an equal appropriation from the Peabody Fund.

Governor Porter declined to send such a message, and assigned his reasons:

The State was struggling with a debt beyond its resources, as a legacy of the war. There was barely enough money in the treasury to meet the necessary expenses. The members of the

Legislature were pledged to their constituents to institute retrenchment and economy. In their present temper, they would not listen to any suggestion for an increase of expenditures.

He then made the suggestion that proved the final solution of the problem. As a member of the Board of Trustees of the University of Nashville, he assured them that the University would give to the purpose more than was asked of the State; the use of its valuable grounds and buildings, and its income of \$6,000 per annum, and would further turn these over to the control of a Board of Education, created by the State, so as fully to meet the requirements of Dr. Sears. This proposition was satisfactory to Dr. Sears.

A bill was prepared by Dr. J. Berrien Lindsley in accordance with the agreements of this conference, passed the Legislature, March 23, 1875, and was approved by Governor Porter the same day.

The caption of this act is as follows: "An act to provide for the establishment, and to prescribe rules for the government of a normal school, or schools, in the State of Tennessee, in connection with the public school system thereof." The purpose of the law is further shown by the first preamble, as follows:

"Whereas, An adequate supply of professionally trained teachers is a necessity to the maintenance of an efficient system of public schools."

The act provides for a State Board of Education, which board shall have power to organize one or more normal schools, and to receive donations of money or grounds and buildings from the Peabody Fund, or from other sources; empowers any incorporated institution of learning to donate its grounds, buildings, or funds to this purpose; empowers the State board to elect teachers for the normal school, or schools, fix their salaries, make regulations for the reception of pupils, and the government of the school, confer professional degrees, etc. No appropriation was made by the State for the support of the school. The governor was empowered to appoint six members to constitute the State Board of Education, and was added as the seventh member, and made, *ex officio*, the president of the board.

The first meeting of the board was held in the governor's office, April 8, 1875; "present, James D. Porter, president; J. B. Linds-

ley, S. Watson, E. H. Ewing, S. G. Tarbox; absent, J. J. Reese, of Knoxville, and Dr. R. W. Mitchell, of Memphis." Dr. J. B. Lindsley was elected secretary. The following resolution was adopted on motion of Judge Watson:

"That the secretary give notice that the board is ready to receive propositions offering the use of buildings or funds; and that such offers must be sent in by the 11th of May, next."

Messrs. Tarbox, Watson and Lindsley were appointed a committee to prepare a plan for the organization of the normal school.

The next day a card appeared in all the Nashville papers from J. B. Lindsley, secretary, calling for contributions of grounds, buildings and funds, and citing the act of March 23, 1875, and the resolution of the Board of Education. This card was copied in nearly all the newspapers of the State, and received extensive circulation.

The next meeting of the board was held May 26, all the members being present except Mr. J. J. Reese. Propositions were received from Spring Hill, Milan, Trenton and the University of Nashville.

Dr. Mitchell moved "that the proposition from the University of Nashville be received, and accepted, and that in view of the liberal offer made by the Board of Trustees, said board be requested to nominate the principal and teachers, and report to the State board. Adopted."

A resolution was passed, declining, for the present, the offers of Fisk University, Nashville Institute and Central Tennessee College for the establishment of a colored normal school. Colonel Leon Trousdale, Superintendent of Public Instruction, and Dr. Barnas Sears, General Agent of the Peabody Education Fund, were invited to offer suggestions as to the organization of the school, and the course of study. A committee was appointed to solicit and receive subscriptions.

The board then adjourned to await action on the part of the trustees of the University. The nomination of teachers had been committed to the University, but would not be legal until ratified by the State board, as the normal school law had expressly provided that the State board should elect the teachers.

The next step must, therefore, be taken by the University. In the meantime the University had not been idle. A meeting had

been held May 10, at which Dr. Sears was present upon invitation. The minutes say: "On retiring he made a written communication to the board, as follows:"

"Nashville, Tenn., May 10, 1875

"To the Trustees of the Nashville University:

"If it shall seem to you expedient to turn over to the State Board of Education the grounds (the sixteen-acre lot) of the University, with the buildings thereon (the University building, the dormitory, and presidential mansion), and the income of your funds for a period of at least two years; so that the whole establishment, the University and the Bell Academy may be converted into a State normal school for practice in all the grades of instruction, on such terms as may be agreed on between the two boards, the trustees of the Peabody Education Fund will accept this arrangement as a substitute for the conditions stated in my letter to Governor Porter. Our proposed contribution will date from the time of the opening of the schools with a suitable corps of instructors.

"Very respectfully your obedient servant,

"B. SEARS,

"General Agent of the Peabody Education Fund."

The board referred the letter to the standing committee, and met again, May 13, for final action. At this meeting, May 13, Judge Watson reported from the committee, recommending the acceptance of Dr. Sears' proposition, and the tender of the grounds and buildings and income of the University to the State Board of Education, for two years from September 1, 1875; upon certain conditions. The two most important of these conditions were: that twenty-five boys should receive free tuition at the Montgomery Bell Academy in accordance with the provisions of Mr. Bell's will; and that the trustees of the University should have the right to elect the teachers and fix their salaries. The conditions, as recited above, were accepted by the State Board of Education, except that the State board reserved the right to final action on nominations of teachers by the trustees of the University. On motion of Mr. Foster, the thanks of the Board of Trustees were tendered to Dr. Sears, and he was requested, in event that the offer of the trustees should be accepted by the State board, "to nominate a suitable person" to take charge of the school.

The next meeting occurred June 4, 1875. Judge Watson reported that Dr. Sears had nominated Professor T. T. Bacchus, of Vassar College as "superintendent" of the normal school. On motion, the nomination was confirmed, and Dr. Bacchus was invited to visit Nashville. In acceptance of this invitation, Dr. Bacchus visited Nashville, and after conference with the trustees, declined the appointment.

After the refusal of Dr. Bacchus to accept, matters were delayed until late in September. This delay was caused by the fact that Dr. Sears had selected Dr. Eben S. Stearns as the head of the institution, who was then absent in Europe, and did not expect to return until December.

September 1 was then the period for the opening of the schools. The Montgomery Bell Academy, especially, was affected by the delay. This school was the preparatory department of the University during its former organization under General E. Kirby-Smith as chancellor, and enjoyed a large patronage. It had informally been designated to be the model school for the normal school under the new arrangement, but no definite action had been taken to change its organization. Nearly a month had passed since the usual time for its session to open. Its patronage was slipping away. Its former pupils applied for information, but no one could give them any satisfaction. Professor J. W. Yeatman, for many years its principal, and Professor S. M. D. Clark, for many years, one of its teachers, were still on the grounds, under an informal assurance from the trustees that their services would be needed. They called upon the Executive Committee, represented the condition of affairs, and urged that steps be taken to put the academy in operation.

The Executive Committee decided upon immediate action. They determined to elect the teachers who would be paid from the University funds, leaving Dr. Stearns to select the additional teachers who would be paid from the Peabody funds. They immediately called a meeting of the trustees. This meeting was held September 28, 1875. As the action taken was important, being the step which subsequently led to the separation of the Montgomery Bell Academy and the normal school, the report of the committee is quoted from the minutes as adopted by the board:

"Your committee beg leave to report, that after two disappointments, they have engaged Professor E. S. Stearns to take charge of the normal and academic school of the University of Nashville, with the title of chancellor of the University of Nashville. The terms are; annual salary \$3,000, the expenses of his removal to Tennessee to be paid, and part of the college dwelling house to be furnished him free of rent. Your committee have authorized Professor Stearns to engage two female teachers for the normal school of superior qualifications at salaries not to exceed \$1,500 a year. We have engaged W. R. Garrett, J. W. Yeatman, and S. M. D. Clark as professors in the academic department of the University at salaries of \$1,800 each. All of which is respectfully submitted for your ratification, September 28, 1875.

"S. WATSON,

"W. F. COOPER,

"W. B. REESE,

"Committee."

The secretary was ordered to announce the opening of the Montgomery Bell school on Thursday, October 14, for the reception of pupils.

In compliance with this order of the board, the academy was opened on the appointed day, by the teachers on the ground, and its organization was continued as "a school to prepare boys for college." At a meeting of the trustees in November, 1875, the committee on the selection of teachers made an additional report, which was adopted, setting forth that they had, upon the recommendation of Chancellor Stearns, engaged the services of Miss Julia A. Sears at a salary of \$1,200, and of Miss Emma M. Cutter at a salary of \$1,000, as instructors in the normal department; and had agreed to furnish Professors Yeatman, Clark and Garrett residences in the faculty dwelling house, free of rent, in addition to their salaries of \$1,800 each.

Upon the arrival of Chancellor Stearns, a residence was rented for his use by the University, and the large faculty dwelling house was divided between Professors Yeatman, Clark and Garrett.

It was now time for the State Board of Education to act, in order to give final confirmation and legal sanction to the arrangements which had been made by the University trustees. This action is so important that it is quoted below in full.

"Executive office, Nashville, Tenn., Wednesday, December 1, 1875, 11 a.m.

"The board met upon call of the president: Present, His Excellency, James D. Porter, president; S. Watson, E. H. Ewing, R. W. Mitchell, M.D., of Memphis; absent, L. G. Tarbox, of Nashville, and J. J. Reese, of Knoxville.

"A communication was read from S. Watson, Chairman of Committee on Organization, making known the nominations of the Board of Trustees of the University of Nashville, to the several positions of the normal and model schools.

"Dr. R. W. Mitchell offered the following resolution, which was adopted:

"*Resolved*, That the following nominations be confirmed and adopted by this board: Eben S. Stearns, principal of normal and model schools; Miss Julia A. Sears and Miss Emma M. Cutter, assistant teachers in the normal and model schools; and W. R. Garrett, J. W. Yeatman and S. M. D. Clark, professors in the normal and model schools.

"Dr. R. W. Mitchell moved that the president and secretary of this board, together with S. Watson, be constituted an Executive Committee, and that this committee in connection with Principal Stearns, arrange the course of study, and also the rules and regulations of the normal and model schools; and also in connection with Hon. Leon Trousdale, State superintendent, make such publications as may be deemed advisable. Adopted.

"Mr. Ewing offered the following resolutions, which were adopted:

"Whereas, the normal school established under the act of the General Assembly of March 23, 1875, is the result of contributions from the Peabody Education Fund, and from the Board of Trustees of the University of Nashville; therefore, be it

"*Resolved*, That it shall be styled: 'The Peabody State Normal School of the University of Nashville;' and that all diplomas or certificates issued by it shall be signed by the president and secretary of the State Board of Education; by the president and secretary of the Board of Trustees of the University of Nashville, and by the principal of the normal school.

"Mr. Ewing moved, that during the present scholastic year, the Executive Committee and Principal Stearns be authorized to fill vacancies in the county appointments, and also to admit pupils free of charge at their discretion. Adopted.

"J. B. LINDSLEY, *Secretary*.

"JAS. D. PORTER, *President*."

The normal school opened December 1, 1875. At the morning session, the pupils were matriculated and classified. On the

first day thirteen pupils were matriculated. The number increased during the year to sixty.

At night the public opening exercises were conducted at the State capitol, in the hall of the House of Representatives. The hall was crowded to its utmost capacity by a representative assemblage of citizens. Governor Porter presided, and addresses were made by State Superintendent Leon Trousdale, Chancellor Eben S. Stearns, Honorable Samuel Watson, and Honorable Edwin H. Ewing.

Thus, after strenuous exertions by patriotic and wise men, the institution was established which was destined to become the most important factor in the development of public education in the South.

It is not the purpose of this sketch to relate in detail the several steps in the growth of this institution. The following brief summary will serve to indicate its steady expansion:

August 6, 1876, at its meeting at White Sulphur Springs, Va., the Peabody Board indicated its intention of making this institution the ultimate recipient of Mr. Peabody's donation, and the great monument to his memory. At this meeting, the annual appropriation was increased to \$9,000, and the policy was inaugurated of granting Peabody scholarships.

In 1878 the name of the institution was changed to "State Normal College," and a few years later to "Peabody Normal College." The curriculum of study was increased, and a college course instituted, leading to the degree of Bachelor of Arts; and the Montgomery Bell Academy was separated from the normal college.

Although nominally connected, and placed under a joint faculty, these two schools never had any organic connection. In the beginning, the faculty was practically divided; three of the teachers being in charge of the normal school, and the other three in charge of the academy. The purpose of the schools was different; the one being directed to the training of teachers, and the other to "preparing boys for college." They were different departments of the University of Nashville, though both schools were taught in the same building. The formal separation was an advantage to both. In 1881, the academy was removed to its new building on a separate lot of the University.

In the same year, 1881, the State of Tennessee made its first appropriation of \$10,000, per annum. In 1891, this appropriation was increased to \$15,000, and in 1895 to \$20,000. The Peabody board, also, increased its appropriations, from time to time. After the death of Dr. Sears, in 1880, Honorable J. L. M. Curry became general agent of the Peabody Fund. He approved the plans of Dr. Sears, and extended them. Under his wise administration of affairs, the Peabody board entered more definitely upon the policy of making this institution a monument to George Peabody.

In 1887 Dr. Stearns died, and Honorable Alexander Porter served during the remainder of the year as chancellor, *pro tem*. In 1888 Dr. William H. Payne was inaugurated as chancellor. He extended the course of study so as to include the Bachelor's and Master's degrees. During his administration many improvements were made. The Winthrop model school was founded, and the attendance of pupils was greatly increased, exceeding six hundred.

In 1901 Honorable James D. Porter was appointed chancellor. The name of the college was changed to "Peabody College for Teachers." The attendance of students, December 1, 1902, is greater than at the corresponding date of any year in its history. The influence of the college has been widely extended, and its financial resources largely increased. Its annual income from all sources is now about \$44,000 for current expenses, and \$25,000 for scholarships.

All departments of the University have partaken in the general progress. The medical college has a new, commodious building, with an attendance of nearly three hundred students. The Montgomery Bell Academy has been improved in all its equipments, and has an attendance of about 125 pupils. The Winthrop model school has about 225 pupils, while the catalogue of the Peabody College will show for the current year, including the summer school, about 1,000 students; making a total in all departments of the University of about 1,650.

MADISON COUNTY.

By J. G. Cisco.

[Continued from Vol. 7, p. 348.]

The county's first court house was built in 1822, of hewed logs. In 1824-5 increasing population demanding a more commodious building, the old log house was removed and in its place a brick, 30x40, two stories high, was erected. Benjamin Gholson was its builder. There was also built at the same time, in the northwest corner of the public square, a small brick office containing two rooms, for the Circuit Court Clerk, and another in the northeast corner, of the same dimensions, for the County Court Clerk. In 1839 that court house was torn down and a new one, larger and more substantial, was erected by John Brown, Sr., who afterwards became a citizen of Memphis, and there died. Its brick work was done by John and Thomas Norvell, and the iron work by Granberry Adamson. The cost of that building was \$25,000, and it was not completed until 1845. In 1890 it was remodeled and added to at a cost of \$40,000, and is now one of the largest and finest court houses in the State.

In 1839, while the court house was being built, court met in the old Lafayette Inn. The Federal Court met in the Presbyterian Church.

The first jail in the county was built of logs in 1822, and stood in the public square back of the court house. Its cost was \$95. Samuel Shannon was its builder. In 1825, when the first brick court house was built, the jail was sold and in its stead a new one of wood was erected; in 1835 one of brick, and in 1861 the present one.

Previous to 1834 the only church in Jackson was a negro church, near the southwest corner of what is now Riverside Cemetery. This was a log building; when it was built, or by whom, I am unable to say. There were Methodist, Baptist and Presbyterian congregations in Jackson at that time, but they met for worship in the court house until the Presbyterian Church was

built in 1834. Sometimes services were held in the old market house on the corner of Market and College streets. Mrs. Sallie Taylor, a venerable lady still living, and who came here at an early day, remembers the first sermon she ever heard in Jackson was at this latter place. It was delivered by a traveling Cumberland Presbyterian preacher, and was heard by a goodly number of Indians, who, while thus engaged, used for seats stumps and logs.

The first cemetery in Jackson was in a chestnut grove on Johnson street, northwest from the stone bridge on Poplar street. Colonel Taylor and a number of the other pioneers were buried there. This cemetery was abandoned when Riverside Cemetery was given to the city by James Caruthers. The old cemetery seems to have been forgotten after its abandonment, and the land was laid off into lots and sold. About 1873 or 1874 there was a brick yard established on the ground and a large quantity of bones of the dead were exhumed in the excavations made.

Among them were the bones of Colonel Taylor, who was recognized by his spurs that were buried with him. The remains of a Mrs. Shannon were also recognized by a peculiar comb in her hair.

Samuel Taylor, who was one of the first Justices of the Peace of the County of Madison, was the first postmaster of Jackson. His office was on the east side of Liberty street, between Main and Lafayette. Am not able to give the year in which he was appointed but it must have been either 1823 or 1824.

Colonel Charles D. McLean, who was in his day a notable character, and a Virginian, came to Jackson in 1823, and, with Elijah Bigelow, begun the publication of the *Jackson Gazette*, the first issue of which was of date May 29, 1824. They continued the publication of that paper until 1830, when it passed into the possession and the management of Colonel J. H. McMahan, who changed its name to *Truth Teller*. The *Gazette*, in its time, was the only paper published in West Tennessee, and consequently had a wide circulation and great influence in forming public opinion. It was published in the interest of General Andrew Jackson and Davy Crockett.

Colonel McLean represented Madison County in this State's Legislature. Later he moved to Memphis, where he died.

The first case of horse stealing tried by a Madison County court was in November, 1824. The person thus circumstanced was Adam Lowry. He was convicted and sentenced to receive on his back thirty-nine lashes, and one may be sure they were laid on with a vigor—be branded H. T. on the thumb, and serve thirty days in the county jail, to stand in the pillory two hours three days out of every week, to be rendered infamous, and to pay the costs of the court.

That the court of Madison County was careful of its dignity in those days may be inferred from the fact that John Fussell was fined ten dollars for fighting on its ground and in contempt of it, with John Montgomery.

The first trial for murder in Madison County was commenced in the month of October, 1826, and lasted until the end of the following January. Thomas Jameson, who was the subject, was not only found guilty, but was sentenced to hang, as was also a negro who was his accomplice. That sentence was fully executed May 24, 1827. The cause of that murder was a love affair, and Francis Saunders was the person murdered. Jameson sought the hand of his daughter in marriage, was repelled, and in revenge killed Saunders.

James Wright, who was tried about the same time for killing West Ratliff, was convicted of manslaughter and sentenced to pay a fine of \$25 and the costs, and to be branded "M" on his thumb.

At the time about which I am writing, and until about 1835, Indians from the northern part of Mississippi came to Jackson to trade. It was then a common thing to see stoic red men in large numbers, walking on the streets, mingling with its white citizens, with farmers, with horse traders, with slave drivers, and with hunters. This last class of men then formed a considerable part of the population of Jackson. These men were strong, physically and intellectually, but were not communicative. They wore fur caps and leather leggins that reached to the middle of their things, also moccasins and fanciful linsey hunting shirts, and always carried rifles, a plentiful supply of ball and powder, and large hunting knives. They were familiar with the woods and knew the haunts of the game they sought. Most of their time was spent in the woods with no companion save their

dogs. When night overtook them they kindled a fire by means of a flint and steel and made their beds on a pile of leaves.

The first religious society in Jackson was the Methodist Church, which was organized in the fall of 1826, with eight members. Among them were Joseph S. Douglas and his wife, Wyatt Epps and his wife, Robert Burns and Rev. Thomas Neely. They worshiped in private residences and in the court house until 1831, when their organization had become strong enough to build a house of worship, which they undertook and successfully accomplished on the lot that fronts their present beautiful and imposing edifice.

Among the men who helped to build up Jackson and were closely identified with the development of Madison County, was Dr. William E. Butler, who was born in Carlisle, Pennsylvania, in 1790. He first came to Madison County in 1819, where he located a large tract of land, the western boundary of which is the center of Market street. After a short stay he returned to Middle Tennessee, where he had fixed his residence when he first came South. In 1822 he moved his family, household goods and slaves to this county, and did so in a novel and circuitous manner, in a keel boat, which he procured at or near Nashville and then caused it to be steered down the Cumberland into the Ohio; thence into the Mississippi, and thence up the Forked Deer river to Jackson, where it arrived April 22, 1822. He built a large double log house at the base of a hill, near a free and limpid spring, a short distance northeast of the present water works.

Dr. Butler was in the earliest days of this county its wealthiest man, and was closely identified with all of the public and private enterprises of Jackson. He had a race track on the grounds now occupied by the Memphis Conference Female Institute, and owned many fine horses. Perhaps no man in this county dispensed more liberal hospitality than did Dr. Butler and his excellent wife. At the first election held for representative from this county after its organization, he was a candidate to represent it and the county of Gibson in the General Assembly of this State, and was opposed by Davy Crockett, of Gibson County. Butler was defeated, because, it was said, he was an "aristocrat" and had a carpet on his floor. The frontier people of that day were opposed to anything savoring of aristocracy, and for a man who

was so high-toned as to use carpets, they had little use. During his canvass Davy Crockett visited Jackson, in search of votes, just as candidates of this day do, and while so engaged received from Dr. Butler an invitation to visit the latter's house, to partake of a dinner. Crockett, because he knew he would get a good dinner, and the best glass of whisky then to be had, accepted the invitation. Not only so, but seeing as he was about to enter the Doctor's parlor that with the exception of a small space, on which was a chair, it was carpeted, by the aid of an agile leap he took possession of that chair, and with his feet supported by its rounds, so remained until dinner was announced. Nor with his feet did he then touch his opponent's splendid carpet, but bringing into requisition again his ready and wonderful agility, he cleared the carpet and thus accomplished his exit from Dr. Butler's parlor, as he had entered it. During his canvass and with quaint and popular emphasis, Crockett commented upon his opponent's luxurious habits. On divers stumps he would exclaim: "Fellow citizens, my aristocratic competitor has a fine carpet, and every day walks on truck finer than any gowns your wife or daughters ever wore."

Dr. Butler died in 1882 at the age of ninety-three years. He had one son, Colonel W. O. Butler, now dead, who was the father of William E. and Thomas Butler, now living in Jackson. Dr. Butler came to Tennessee while quite a young man. He studied medicine and practiced his profession in Murfreesboro before he came to Jackson. He was surgeon in Jackson's army during the Florida war and the war with England in 1812-15. After he left the army he married Miss Martha Hays, who was the oldest daughter of Captain Hays and a sister of General S. J. and Colonel S. D. Hays.

Another of the pioneers of Jackson, and one of the first lawyers to settle in the new county, was Colonel Stokely Donelson Hays. Colonel Hays was born in Virginia in 1790, came to Middle Tennessee about 1800. In 1819 he accompanied Dr. Butler, who was his brother-in-law, to West Tennessee prospecting, and in 1822 with his family, returned to Jackson in company with Dr. Butler. Colonel Hays' mother, Mrs. Jane Hays, was also of the party. She settled on what was long known as "Hays Hill," late "the Convent grounds" in the northeast part of the city not far from

the Union depot. Mrs. Hays had a double log house built, land cleared, and made the place her home until her death in 1833. She was a good and noble woman of the old school, and was loved and honored by all who knew her. The place after death, passed into the hands of her son, General Hays, a wealthy planter, who built a handsome brick residence.

Colonel Stokely D. Hays was a lawyer of ability and a genial gentleman. He was said to have been the finest looking man in Jackson, being over six feet tall and weighed two hundred pounds. He was aide-de-camp to General Jackson in the war of 1812-15, and married Miss Lydia Butler, only sister of Dr. W. E. Butler. Mr. S. D. Hays, a prominent lawyer of Jackson, is a grandson of Colonel Hays.

After the location of its shire town, and about the year 1823, settlers in great numbers came into this county, and from that time its population and its wealth rapidly increased. Indeed, in 1823, and in succeeding years, settlements were made in every part of it, but they were so detached as to engender a clannishness among the persons who constituted them. That spirit impressed itself upon the descendants of these persons, which existed for many years, or until the entire county was settled. Its different neighborhoods organized themselves into clans something like that which formerly existed among the Scotch Highlanders, and when rival clans met they seldom separated without some of them carrying home bruised heads and bloody noses. Among its noted clans were the Steward's, Sevier's, Cox's and others, with their adherents and henchmen. While they did their duty as good and loyal citizens, they considered horse racing and cock fighting as innocent sport. In fact, with them, fighting was a pleasant pastime. They did not fight with knives and pistols, as in these days, but with their hard, brawny fists, made harder by honest toil. They fought, made up, then fought again and were friends, because they had fought. Among the famous fighters of that day were Major Charles Sevier, nephew of the first Governor of Tennessee, and Colonel John Houston. The former was a genial, kind-hearted man and possessed miraculous physical strength and courage. His home was in what is now the Eighth Civil District.

Soon after the organization of this county his house was made

a voting place, and he always managed to carry his box according to his own ideas of what was right and proper, either by moral suasion, or by the force of hard knock-out blows. He was a great admirer of General Jackson and always carried his box for the old hero and his friends. He would not tolerate a single vote against him. He had a way which he called "purging the polls" that consisted of whipping any man who proposed to vote against Jackson and the Democratic party.

It was said that persons who were ambitious of distinguishing themselves as fighting men would come some distance to test their powers with the old champion. To such he was always accommodating; nor did he fail to give them a goodly number of scars as a reminder that he was "cock of the walk." There was only one thing of which the old major was afraid, and that was red pepper. As has been said of him, on one occasion when he was about to engage in a friendly "bout," he, to the surprise of every spectator, showed evidence of weakening, because he supposed the hand of his antagonist contained a pinch of red pepper, but as soon as he saw therein an "Arkansaw toothpick" a smile spread over his face, and when a bystander proposed to interfere he said, "Never mind, boys, let him come on, knife and all. I thought he had pepper in his hand." Of course he whipped his antagonist, and did it well.

Next to Major Sevier, as a fighter, was Colonel John Houston, who for many years was the champion of his neighborhood. At length a much younger man than himself, moved therein, named Giles. Giles was also a fighting man, and as Houston was getting old, and had for some time been "out of the fray." Giles was looked upon by many of his neighbors as being the "boss fighter." That fact the old colonel did not like, nor did he like Giles, and therefore determined to take him down "a peg." One day he and Giles met in front of Dr. Robert Fenner's store in "Old Cotton Grove," and not long thereafter a fight was made up between them. Houston wore a pair of spurs which he neglected to remove before the fight began, and which interfered with his movements. Giles tripped, threw him down and then got on him and punished him terribly on his body as well as on his eyes, which were thereby closed, but the fight continued. The crowd of men which had collected, though in sympathy with Colonel

Houston, did not interfere. The etiquette which governed such an affair forbade anyone from so acting until one or the other said he "had enough." At length Dr. Fenner stooped down by the combatants and asked the colonel if he could do anything for him. His reply was: "Nothing, I thank you, Doctor. I am doing very well." About that time, Houston put his hands around the back of Giles, then interlaced them, and while thus pressing it, used his spurred feet, which at first had given Giles the advantage, with such impressive and painful effect upon the latter's flank and rear as to extort from him the confession that Houston had sufficiently punished him, and in the same connections to beg the "lookers on" to come to his relief.

That was the last battle Colonel Houston ever fought. He lived to be an old man and when he died was buried near the Mounds, a few miles from Pinson. Some of his descendants are still living in this county.

The first society organization in the county was called the "Sacrificial Club." It had thirteen members, among whom were William Armour, Charles Sevier, W. R. Harris, Stokeley D. Hays, John B. Cross, B. G. Stewart, W. R. Hess, Colonel Theobald and Adam Huntsman. The names of the others are lost. The origin and the object of that organization are unknown at this day, but it is reported to have originated on an occasion when those old pioneers had been for several days worshipping at the shrine of Bacchus. After they had reached a point where they began to wish that they had been engaged in some other occupation, one of them proposed that a human sacrifice should be offered as a propitiation for their sins. The proposition was favored and they agreed to east lots to determine who should be the victim, each having previously bound himself, in the most solemn manner, to abide the result. Major John B. Cross, who was at that time, one of the members of the court of pleas and quarter session of this county, and had been an Indian fighter under Jackson, was the member on whom the lot fell. A pen of logs was then built on the corner of Lafayette and Liberty streets, the present situation of the Murray Block, which was filled with the most combustible material that could be found, and thus an altar having been prepared, the master of ceremony deprived Major Cross of his apparel, put on him a white robe,

and having delivered him to two high priests of the Sacrificial Club, they led him to the altar, put him on it in an erect position and then deliberately proceeded to apply to it the torch which was to set it aflame; but before that act could be successfully accomplished the Major was saved from death by fire through the timely appearance of a man, who was neither a member of the club nor knew that for its manifold sins one of its members had been selected as the propitiation. Major Cross lived for many years after he was thus saved from death and was one of the most honored citizens of this county which he represented in the Legislature of this State whenever he sought that honor.

James S. Lyon came to this county from Jackson County, March 24, 1825, and soon thereafter bought a large tract of land about three miles northwest of Jackson on which he settled.

Mr. Lyon was a man of wealth. Besides the place in question he owned large bodies of land in various parts of the State.

He was sheriff of Madison County in 1842-4, but before that period was a deputy sheriff, and as such, had charge of the infamous John A. Murrell, the land pirate, whom he carried to the penitentiary of this State in Nashville after the latter had been convicted in the Circuit Court of this county. He was selected for that important mission because it was thought that the friends of Murrell might attempt his rescue, and Mr. Lyon being a brave and fearless man, the belief was he would allow no interference with his duty. Besides holding the positions mentioned, Mr. Lyon was a member of the State Legislature from this county.

Before coming to West Tennessee Mr. Lyon married a Miss Woodfolk, of Nashville, a sister of the late General Woodfolk. She survived her husband twenty-two years, and died in 1886, at the ripe age of eighty-one years, beloved and honored by a large circle of friends. She was an educated, cultured and refined woman, a strict member of the M. E. Church, South, and belonged to that class of noble matrons for which the South was in ante bellum times so justly celebrated.

Samuel McClanahan was the oldest of ten children, five brothers and five sisters, who had been left orphans in South Carolina, while some of them were quite young. He lived with his parents on their farm, until he was eighteen years of age,

when his father apprenticed him to a tailor who worked on the bench by the side of Andrew Johnson. After Samuel had learned the trade of tailor, he returned home, and because of his studious habits and fondness for books his father sent him to a law school from which he graduated in due time, and then in 1827 came to Jackson where he taught school a few months and then returned to South Carolina, from which State he brought his sisters and brothers to his home in the West. He then taught school in Jackson until 1832 when he formed a partnership with Andrew L. Martin in the practice of law, which occupation he followed until his death, which occurred in 1874.

Of Samuel McClanahan's brothers: James was a skilled and popular teacher, David was a farmer, John was a journalist and editor, was an efficient captain of a company of volunteer soldiers in the war between this country and Mexico and afterwards owned, edited and published with distinguished success, the *Memphis Appeal*, with which he was connected in 1866, the date of his death. Nelson, another brother and the youngest, had about reached his majority when he was commissioned as a lieutenant in the regular army of the United States, and in that capacity gallantly served in the Mexican war and was raised to the rank of captain, and after the cessation of that war returned to Jackson, where he resided for awhile and until he went to Memphis, and with his brother John, was connected with the *Appeal*. Neither Nelson nor John ever married.

The era of education in this county begins with its organization. The records of its earliest schools are meager. In fact, I might say, that of them there is no record at all, except the recollection of its old citizens, and the traditions which they received from their ancestors. I can find no record, nor even a tradition, of any school in Alexandria, hence I conclude that the time in which that settlement existed, was too short for the organization of a school. The first schoolhouse in Jackson was erected in 1824 by John Harton, who taught a school in that house for, perhaps, two or three years, but about it no facts can be gathered further than that it existed. However my inference is, that Mr. Harton only taught the primary branches, and that the attendance in that school was small.

About the same time, and on or near the lot on which W. P.

Robertson's present residence is situated, a log schoolhouse was erected, and in it more than one prominent citizen now of this county, studied the fundamental principles of grammar, made tortoise shell rings for their sweethearts, and occasionally witnessed, if they did not assist in "turning out" the school master. That was indeed a quaint schoolhouse, and in it boys were thoroughly taught, and when such act was necessary, were scientifically flogged. In short, in it, Mr. Sloan, a Presbyterian clergyman, taught boys how to think, and used the switch "decently and in order." He was followed by a Mr. Gist, who had been trained in the school of Samuel McClanahan, was truly a scholar and at the same time, as zealous a devotee of Maury's grammar and of the dictionary, as he was skilled in the use of the rod.

Sloan and Gist were splendid teachers. But they did not alone render Jackson in its earliest days notable as an educational center. Nor was the log schoolhouse the first "academy" it had. Years before Sloan and Gist taught and flourished, McNutt, also Presbyterian preacher, Samuel McClanahan, and a Mr. Stockwell, an eminent scholar from the State of Maine, had preceded them. McNutt's school was in the western portion of Jackson, and consisted of boys and girls. Stockwell taught in a frame house which had been previously erected, on a hill in the center of certain real estate which Dr. William E. Butler had donated to Jackson, and in a short distance from a spring which then afforded an abundance of clear, cool and wholesome water. I have been informed that Mr. Stockwell was not only learned, and physically a splendid specimen of manhood, but that his school in all of its departments was of the highest order. Among his pupils were Judges R. J. Hays and William T. Haskell, who afterwards achieved as an orator and as a politician, national distinction. Nor in this connection will it be amiss to state that Judge John L. Brown has informed me, that Mr. Stockwell was the first teacher from whom he received instruction, and that on its thoroughness and its solidity, is based his present education.

While Mr. Stockwell was principal of the Jackson Academy, Samuel McClanahan taught a private school, and had for his pupils the sons of this county and Jackson's then leading citizens, such as Colonel Atlas Jones, Allen Deberry, Samuel Dickens, Henry Connally.

I now direct my readers' attention to a later period, when Jackson had thrown aside its village garb, had assumed the proportions of a growing town, and so was induced to erect an edifice in which its boys might be educated, not only larger and more commodious than the one in which Mr. Stockwell taught, but of brick. That edifice came into existence about the year 1835 on the lot on which is situated the palatial residence of Mr. W. P. Robertson, and in it were educated not only hundreds of young men, some of whom are now alive and the occupants of distinguished positions in this and in other States; but it continued in its career of usefulness under the conduct of such accomplished teachers as Abraham Lytton, William H. Stephens, Samuel Stephens, Thomas Ewell and Messrs. Wright and Russell, until it was absorbed by the West Tennessee College, now the Southwestern Baptist University.

There were no "professors" in those days, at least that title was not applied to the country nor to the village school teacher. The man who taught a school was the "schoolmaster," and the female teacher was the "schoolmistress." The schoolmaster usually wore spectacles and dressed in black clothes that were threadbare and "slick," and his trousers from force of habit, bagged at the knees. School "took up" at 8 o'clock in the morning, "let out" from 12 to 1 o'clock. Then "books were called" until 4 o'clock in the afternoon when the school was dismissed. The studies in the primary schools were, reading, writing, arithmetic, grammar and sometimes geography. The pupils were not required to have a uniform system of books. Any book would answer the purpose, though it was "dog-eared" and had done duty in the family for a generation or two. A big hickory withe was a necessary adjunct to every schoolroom, and it not unfrequently happened, that it was brought into use. A teacher who would "spare the rod" was not considered "much shakes."

A favorite mode of punishment was to require a boy to stand upon the end of a bench with a large paper cap called a "dunce cap," on his head. Another punishment that was common in those days was to make an offending boy sit between two girls. At this day the boys would rather enjoy that kind of punishment.

Sometimes the "big boys" of the school would band together to enforce their demand on the "master" for a holiday. Their

plan was to assemble at the schoolhouse early in the morning and then bar its doors and close its windows, thus keeping the teacher out, until he acceded to their demands to dismiss school, or to "treat." "Treating" the school by the teacher was not an uncommon occurrence. A few pounds of stick candy, or a few ginger cakes and a bucket of cider, served for that purpose.

The daily exercises of the early school were usually begun by the master reading a chapter in the Bible which was followed by a fervent prayer. The children were given as well religious and moral, as mental instruction; were taught good manners, also to respect their elders, and to honor and obey their parents.

The schoolhouse was built of logs with puncheon floors and seats. Its desks were made by boring holes in its wall into which long wooden pegs that supported the boards were driven; its fireplaces occupied about half of one of its sides and on another was a window about two feet high and eight or ten feet long.

In such schoolhouses some of the greatest and most learned men, and some of the noblest women this country has ever produced were educated.

Somewhat later than the period of which I have been writing, Jackson had other schools, in no degree of an inferior order, and which added much to the moral and to the intellectual culture of its boys and of its girls. Rev. John Finley, who was a Baptist clergyman, and the possessor of much learning and a teacher of unquestioned skill and ability, conducted a private school. He was succeeded by John H. Day, who was as eccentric and as positive in his character as he was popular and successful as a teacher. Besides being a thorough teacher of mathematics, he impressed his pupils with the importance of a thorough knowledge of grammar, and in so instructing them, steadily and with much force maintained, that as gender denoted a distinction of sex, there could be only two genders, masculine and feminine, and that as neuter, signified neither, such a gender was not authorized by true grammatical law.

Mr. Day was a native of Virginia. After he ceased being a teacher he became a justice of the peace, and in that capacity pronounced judgments, which, because of their justness, rendered him truly popular. In 1840 he owned and conducted the Jackson hotel, which was situated on the lot which the First

National Bank now occupies. But preferring farming to hotel life, he abandoned the latter and until his death successfully cultivated the farm on the eastern limit of this city, now known as the James McRee place.

Henry Vannerson about the same period also taught a private school in Jackson, which was largely patronized. Not only was he a thorough teacher but when he deemed such discipline necessary for the improvement as well of the mind as of the body of any of his pupils, he, without stint and with consummate skill, used the switch.

Thorough and well disciplined in their earliest period, as were the male schools of Jackson, its citizens did not then forget its girls, but kept constantly employed thoroughly educated and skilled teachers, of whom George Bigelow and his cultured wife, were notably distinguished. They came from the State of Massachusetts into this county, when its inhabitants were sparse, and long before McNutt, John H. Day and Rev. John Finley essayed to teach the girls of Jackson, had established in it a female school that not only became eminent as the center of female education in West Tennessee, but for a long series of years continued its successful career. Moreover, it was conducted by Mr. Bigelow and his wife, until about the year 1832, when he departed this life, and after that occurrence, by his wife, who did not discontinue it until 1857, the year of the marriage of the late Rev. A. W. Jones and her daughter, Amanda C. Then Mrs. Bigelow relinquished the school from which she reaped abundant honor and profits, and in which girls were thoroughly taught, as well to write as to correctly speak the English language. Indeed, so proficient as a teacher was she, and so devoted to that profession, that she could not resist the persuasion of her son-in-law, Dr. Jones, to aid him in the Memphis Conference Female Institute of Jackson. But she did not continue long thus acting. The infirmity of old age compelled her to desist, and not long thereafter, ripe in honor and in usefulness, she went to her eternal rest.

The house in which she and her husband organized their school, and in which that school was conducted, until its discontinuance, is of brick and still occupies a prominent site on the east side of North Royal street.

But I must proceed to give a sketch, as the same has been detailed to me, of a man who was one of the earliest settlers in this county, and in Jackson, and whose death was universally lamented. I allude to Judge John Read, than whom there never lived, nor died, in this county a man more notable, more popular and more generally respected.

Judge Read was a successful practicing lawyer in Jackson for about seventeen years, before he assumed the judicial ermine, and during that period had for his professional compeers Pleasant M. Miller, Adam Huntsman, Milton Brown, Andrew L. Martin, Samuel McClanahan, Alexander B. Bradford and William Stoddert, whose legal achievements then added luster to this county, and with them before juries and judges often engaged in the argument of cases in which as well the property as the liberty of men, was involved; and whether thus defeated or the victor, he never "lost his head," nor forgot his manhood. Moreover, he was first elected Circuit Court Judge by the General Assembly of this State, while Andrew L. Martin was a member of that body from this county, who zealously supported him. He held that office and was performing its functions when judges' election in this State was given to the people, with whom no man had greater strength. His big heart, his genial manner, and his winning oddity, so rendered him. Thus equipped and being also a safe, a just and an incorruptible judge, he easily won the support of the people, and though opposed by Samuel McClanahan, a Christian gentleman and a deservedly distinguished lawyer, they kept him in his office by a large majority, until the war between the States. Not only was Judge Read a fine mixer with the people—always heartily grasped their hands and told amusing events of which he was the chief hero—but during his canvass with Mr. McClanahan, those events were by himself and by his friends, very effectively used. For instance, during the course of a day not long after the Legislature of this State had elected him judge, his wife, whom he always addressed as "Polly," advised him to abandon his slovenly habit, that he should put on a clean shirt every day, and in other particulars of dress and of customs emphatically charged him to imitate Wm. Armour and Alexander Patton, then the two leading and stylish men of Jackson. The judge readily promised to comply with his wife's

advice and emphatic charge and so for the time being they separated. Nor is there proof that after she had thus charged him, she saw him further that day until he had retired to his bed for sleep. Soon after that act Mrs. Read followed the judge, and finding him nude, she administered to him not only a wifely rebuke, but to her question as to the whereabouts of his shirt, he meekly responded, "Polly I nicely folded it and then put it under the pillow of my bed. I obeyed your command. That is, acted as you told me was the custom of Messrs. Armour and Patton." Nor is this the only "shirt scrape" which befell the fun loving judge in his attempts to obey the commands of his wife as to how he should use that necessary and very becoming garment.

It so happened that on a certain occasion he interchanged duty with Judge Valentine D. Barry; that is, held court for that eminent man in Raleigh, then the shire town of the County of Shelby. Before he departed from home for that place, his careful wife put into his valise divers shirts, and in the same connection directed him while he was absent to don one of them every day, thus to keep himself neat and in an attire commensurate with the dignity of his office. Kissing his wife and promising obedience, he hastened to Raleigh, remained therein about a week holding Judge Barry's court, and then returned to his home and his good wife, who gladly welcomed him and at the same time carefully inspected his valise, and finding it bare of shirts, she questioned him as to how he had disposed of those she had put into it before he went to Raleigh. Being equal to the emergency, and with fun in his eyes, he quickly responded: "Polly, I did as you commanded. Donned one every day, appeared neat, and so maintained my judicial dignity, and now on my body are the whole of them."

Judge Read was a native of Kentucky, an ardent Whig and an admirer of Henry Clay. In short, he was a just judge, an honest man and so he died.

Colonel Robert I. Chester was born in Carlisle, Pa., July 21, 1793, and while he was quite a youth his parents moved to Jonesboro, Tenn., where he grew to manhood, having meantime obtained a fair education in an "old field schoolhouse." He served through the war between the United States and England, known

as "The War of 1812," as quartermaster of the third Tennessee regiment, and after the close of that war, in 1816, began merchandising. In 1819 he lost a fortune in tobacco speculation. In 1824 he moved to Jackson and engaged in merchandising, in which occupation he continued until 1830. From 1825 to 1833 he was postmaster of Jackson. In 1835 he went to Texas and there received an appointment as colonel under General Sam Houston in the war for Texas independence, and after the battle of San Jacinto, which virtually ended that war, he returned to Jackson and was again appointed post master. Shortly thereafter he received the appointment of land register for West Tennessee. In 1837 President Van Buren appointed him United States marshal for the western part of this State, in which capacity he efficiently served the public with one intermission, or more, for sixteen years. Being a shrewd business man and intensely energetic he accumulated a considerable fortune, was perhaps the largest land owner in the Western District. The Civil War brought loss to him in slaves and in other property. In 1870 he represented Gibson, Carroll, Henry and this county in the Legislature of this State and was re-elected in 1872. Colonel Chester's first wife was the youngest daughter of Robert Hays and a niece of General Andrew Jackson. Moreover, to that distinguished man, he sustained a close and an uninterrupted personal relation and during the whole of his manhood career was an unswerving Democrat. In 1884 he was chosen by the college of electors of this State, to carry the result of its vote in that year for President and Vice President of the United States to the city of Washington, and before he performed that duty, he visited President-elect Cleveland, by whom he was most cordially received and then entertained with distinguished consideration.

In 1855 Colonel Chester married his second wife, Mrs. Jane P. Donaldson, whom he survived.

He died in 1891 in his home on South Royal street at the advanced age of ninety-eight years. The possessor of a mind which was always bright and clear, and of a wonderful recollection especially of past events, he was not in any particular an ordinary man. The weight of years did not heavily oppress him, nor abate his interest in public affairs, nor in the welfare of this State, of this county and of this city. Few men have lived so

long, and have had an experience of this life so busy and so varied as was his, either in the excitement of speculation or in the arena of politics or in being near Andrew Jackson, while the latter was in the halo of a splendid military career.

Though, as has been already stated, a positive, and before the Civil War in this country, a leading and influential Democrat, because of his pleasant manner, of his exact view of justice, and of hearty friendship, many of Colonel Chester's truest admirers were leaders of the Whig party. While he and they in heated political contests were manly opponents, the behests of true friendship were scrupulously observed. All in all, Colonel Chester was an extraordinary man.

One of the counties of this State bears Colonel Chester's name, and before he died, as the leading Mason who witnessed that event, he placed in its proper position the corner stone of the court house of that prosperous county.

Prominent as Colonel Chester certainly was in this country, and in this State, James Caruthers, about whom it is my province now to write, was not less so. A native of the county of Rockbridge, in the State of Virginia, proud of his ancestry, replete with adventures and animated by the push and the pluck which accompanied him, when he entered the threshold of manhood; he not only then sought, but then became a hopeful and an enterprising citizen of this State, not, however, to practice law, for which sphere he had been licensed, but to locate for the University of the State of North Carolina land warrants in the western part of this State, a business for which, because of his legal learning, of his practical education, and of his superior judgment, he was eminently fitted. His entrance into this State, was in, or near Nashville. Thence in the year 1819, when spring had given impetus to vegetation, when wild flowers, in all the glory of their luxuriant beauty, look in whatever direction he listed, greeted his vision; when deer in abundance and in uninterrupted freedom browsed and gamboled on the site now occupied by this city, and when Indians roamed in and claimed it as their rightful heritage, he came into this county on a prospecting tour; however, not on the back of a horse, or in a stage, or in one of the vehicles, which men who were then seeking new homes, were accustomed to employ; but with divers men,

who like himself, were enterprising, fearless, and daringly adventurous, took a berth in a keelboat at Nashville, and thence was carried down the Cumberland into the Ohio river. Thence down that stream into the Mississippi. Thence down it to the mouth of the Forked Deer. Thence up that river to Jackson, which he adopted as the point, whence he visited various parts of West Tennessee, examined and surveyed some of its best land, and then by the authority of warrants that he had in his possession, located it for the benefit and in the name of the University to which only awhile ago I referred. While he thus kept himself employed, and becoming the better qualified for his business; he did not forget to essay the securing for himself an eligible and permanent location, and in so acting he not only selected Jackson, but in 1821 moved into it and soon occupied the position of one of its leading citizens, and so he continued, until the date of his death. Of him moreover I might write much, but not of wonderful deeds that he performed, either in peace or in war. True, he was a soldier in the conflict of 1812 between this country and Great Britain, and in that capacity performed his duty efficiently; but he did so quietly, firmly, and in the spirit of patriotism. After that event, he was a civilian, quiet, good and earnest. He, however, preferred that sort of life to one which had about it more excitement, and which impelled men who moved in it, to be constantly on their feet. Well educated and the reader of books which were abundant in useful information, he was the companion of, and influenced good men. Practically benevolent, his benefactions were many and extensive. To the poor, who lived in his sphere, he was a compassionate friend, and in ministering to their wants, spared not his purse. As a Christian, he was unswervingly true, and of the church of his choice, a pillar well planted, and that would not yield to worldly pressure. While in the long accepted sense of that term not a politician, nevertheless he was a positive Democrat, and as such, wielded much and wholesome influence over his party, and so materially aided it, and kept it from excess, but never sought from it, any of its honors, nor its emoluments. As already stated, the chief business which first engaged his attention, when he became a resident of this county, was the locating of land warrants, and having so acquired an

accurate knowledge of the position of the most eligible and fertile portions of West Tennessee, he opened in Jackson a real estate agency, which he soon rendered popular and lucrative, and thus he acquired property of no mean value. When he had scarcely reached his majority, he married Francis E. McCorry, then a girl, pretty, vivacious and brilliant, and a daughter of Thomas E. McCorry, who, with his wife and family, settled in this country, about two miles north of Jackson, in the year 1824. Mr. and Mrs. Caruthers resided for a long number of years, indeed until each died, in the brick house which he caused to be erected on Baltimore street of this city, near its west end, and therein reared four sons and three daughters, all of whom are dead except Stoddert Caruthers, who is now a prominent member of the Jackson bar, and a worthy and an enterprising resident of this city.

Dr. George S. Snider was born in the year 1800, in Harrisburg, Pa., of Dutch parentage. He graduated in the study of medicine in 1822 and being imbued with the spirit of adventure so common in that day, determined to seek a home and fortune in the far Southwest. He traveled the entire distance from his native State to the then young town of Jackson, a distance of more than one thousand miles, on horseback. The journey occupied several months' time, and was not unattended with great danger. Dr. Snider arrived in Jackson the same year, 1822, and began the practice of his profession, in which occupation he continued for many years. Moreover, he was the proprietor of a drug store which was located in the rear part of the large general store of Armour, Lake & Cromwell. He had for a partner Dr. Young, and together they caused to be built a substantial brick building on the east end of the lot now occupied by the Hurt Block, and which building was known for many years, and until it was torn down a few years ago, as "the Totten House." The building was intended by Drs. Snider and Young for a bachelors' hall, to be occupied by themselves, but before its completion they both married and then sold the house to Mr. Lake.

Dr. Snider married in 1832 a Miss Owen, who accompanied the family of William Armour from Baltimore. Ten children were born to them, most of whom are still living. There were

three sons and seven daughters. The eldest died while in the Confederate army, near Vicksburg.

In 1859 Dr. Snider moved from Jackson to Magnolia, Miss., where he continued to reside until the close of the Civil War, when he moved to Memphis. He died in Jackson while on a visit in 1873.

Colonel Thomas Henderson came to this county from Raleigh, N. C., at which place he was the editor of a newspaper, in the year 1823, and settled near the Indian Mounds three miles from Pinson. With him came Dr. Richard Fenner and Mr. Johnson, who were his brothers-in-law. After the death of his wife in 1829 Colonel Henderson moved to Sumpter County, Alabama. He was a man of learning, a fine writer, a good speaker and of great influence. He was possessed of considerable wealth when he came to Madison County, but lost a great deal of it by being security for others.

Colonel Henderson was the father of seven sons. Calvin, a lawyer, who died in Louisiana, married a Miss Eliza Patton, of this county. Richard, a graduate of West Point Military College, was commissioned a lieutenant in the United States army, was killed in the Dade massacre in Florida in 1835 when Major Dade was surprised marching from Fort Brooks, now Tampa, to a fort that stood near where Gainesville now stands, by an attack from Osceola, and every man save two were killed. Lieutenant Henderson was the last officer of that gallant, but unfortunate band, to fall before the fury of the red men. William also married a Miss Patton. He was a lawyer by profession and was the father of Miss Corrinne Henderson, who now resides in Jackson. He died in Texas since the war. Thomas married, first a Miss Lancaster, and after her death he married Miss Mary Ormond Butler, daughter of Dr. Wm. E. Butler. William E. and Dr. Thomas Henderson, of Memphis, are the sons of this last union. Colonel Thomas Henderson was a gallant officer in the Confederate army and commanded the famous Henderson scouts. He died about 1876. Samuel, the fifth son, died in New Orleans, where he was a leading commission merchant. Alex was a lawyer and died in Texas. His wife was a daughter of Judge Turley. Nathaniel is still living on his large sugar plan-

tation in Louisiana, about twenty miles from New Orleans. He married a Miss Patterson.

Colonel Henderson had but one daughter, Corrinne, who became the wife of Henry W. McCorry, the father of Judge H. W. McCorry, Miss Pet McCorry and Mrs. John H. Freeman, all of Jackson.

William Stoddert was born in 1796 in Bladenburg, Md., of English ancestry. He received his education in Georgetown, District of Columbia. In 1822 he came to Tennessee, and to Jackson where he decided to locate. He was a lawyer, a man of scholarship and greater learning in his profession than any other member of the Jackson bar during his lifetime. Some of his briefs, which are found in the State reports, attest his ability as a lawyer. He was a man of great purity of character, and, though comparatively a young man when he died, he left a reputation for high character as a citizen and as a lawyer second to none.

Mr. Stoddert married Miss Mary J. Mason, daughter of Daniel Mason, of Paris, this State. She was a noble Christian woman, a worthy wife of a true and noble man. She survived him for more than half a century, honored, respected and loved by all who knew her.

Mr. Stoddert died in 1839. The following notice appeared in the *Polar Star*, a newspaper published in Trenton at that time:

"The *District Telegraph* of the 18th inst. announces the death of William Stoddert, Esq., of Jackson, who departed this life on the 14th after an illness of twenty-one days, in the forty-third year of his age. William Stoddert emigrated and commenced the practice of the law in the Western District at an early day. He possessed a fine native intellect with a well balanced mind, and by industry and close application he soon elevated himself to the head of the bar, of which he was a member, and by his correct, honest and unpretending deportment gained the good opinion and esteem of not only those with whom and for whom he transacted business, but of the community at large; in a word, his honesty was proverbial and in William Stoddert were united all the virtues that adorn and ennoble the human character, and in his death the society of Jackson has sustained a loss which cannot easily be repaired."

Mr. Stoddert's residence was on College street at a place known at a later date as the Scurlock place, east of the Mobile & Ohio railway. His law office was on a lot east of where the Presbyterian Church now stands. He owned considerable property, consisting of lands and slaves, and was considered quite a wealthy man. He was liberal and charitable, public spirited and enterprising. He was a member of the Episcopal Church, and, indeed was one of the founders of the present flourishing church (St. Luke's) in Jackson.

Mr. Stoddert left three daughters, Mrs. Caruthers, Misses Harriet C. and Willie, now residing in Jackson. He left no male descendants to perpetuate his honorable name.

THE PRESERVATION OF TENNESSEE HISTORY.

BY DR. R. A. HALLEY.

It is trite to say that almost every foot of Tennessee soil is historic ground, but trite though it be, are the people not forgetting it? When we look through the streets and parks of our Tennessee cities, whose are the feelings of pride when asked to point out the monuments and statues of the great men that have been remembered? Where can we find them?

What one of our cities has even preserved the historic names that were given its streets in the early days in honor of the famous men who blazed the way to the present, or that signalized historic bounds or events? One man's hands contain fingers enough to count all such streets that remain in all the cities of Tennessee to-day. The next generation will not even remember that such street ever existed if the man for whom it once was named be not forgotten, too. And in well-nigh every case the honored name of the street or avenue has gone to give way for the name of the latest member of the City Council who introduced a bill to pave the street or to put up two electric lights.

The greatest scientist of his day in Tennessee, a man who gave an inefaceable stamp to the university in which he taught, had a little street called in his honor after he was dead—the street on which was the house in which he lived. A recent city council changed the name of the thoroughfare and called it after a man noted for eminence in an educational way; it is a memento, it is true, but any other street in the city might have been given the latter name with as much significance and the old name preserved. Doubtless the city lawmakers wondered where Troost street got its name.

But if the honors done men of fame in the history of Tennessee be so easily taken away, you might reply that their names are preserved in other places. Where? You would have to look indeed to find the answer. In the century of Tennessee's statehood that ended with the formal celebration on the centennial

grounds the first day of June, 1896, there was more that was worthy of remembrance and of preservation than in the history of any other State in the American Union for that same century of time. There is in the whole history of the State a record that is surpassed by no State in the American Union, and equalled by none, save Virginia and Massachusetts. It is a history of achievement without which the history of the United States cannot be written. For a generation the history of the country was the history of the life and actions of a man who was a Tennessean. For decades the eye of the nation was fixed on this State to such an extent that even the Old Dominion ceased to be the center of interest. Would you know all the history of that period, where would you find it? You would go to the Congressional library and to the public libraries of the progressive Northern States. You would not find it in Tennessee. If you want to consult even the printed records of Tennessee, you will have to go to other States to find most of them.

It is a fact that the preservation of the records of Tennessee, both printed and written, has been a matter so little thought of that now a part of the written record is lost, as is so great a part of what has been printed that but one department of the State government has a complete file of its own printed reports. This notable exception is the State Board of Health. The State library has not a complete set of the publications of any department. The archives do not contain even the original copies of the records in many cases, and in many more cases these records have been mutilated and damaged so as to make them incomplete. There has been such a shameful neglect of the most precious records of our early history as to make it a wonder that so many of them have escaped destruction. And we may thank the absurd places in which some of them lay hidden away that they were not made way with, so frightful the lack of care that has been shown.

Such records as have escaped destruction and have sustained only damage have lain at the mercy of those who have had opportunity to go through them. I know of one who had had access to the documents stored in the State Capitol, and who sold to an autograph collector a full set of the signatures of the governors of Tennessee, all cut from official documents which he had found lying unprotected and to all appearances uncared

for in the basement. Some of them were taken from old papers which were even then, on their way to the burning pile of "rubbish" that was being fed with them by an employee of the State because some of the papers had been lying where the rain leaked through on them and "smelled bad."

The work that has been done on the systematic sorting of the records during Governor McMillin's administration has gone far enough to reveal the fact that many, if not all of the records have been gone through systematically by some one who has removed many rare signatures and torn out scarce revenue stamps affixed, in many cases absolutely destroying the value of the document itself by leaving not enough of the writing on the other side to identify the paper. Nearly thirty years ago a young man employed in some capacity in the State library told me that he had gone through a "great lot of old papers at the Capitol" and had found hundreds of dollars worth of rare stamps and autographs, which he had sold to collectors. In the light of these late discoveries it is not hard to see where he obtained them, and it is just as easy to see that he was probably not the only one.

Piled in the basements and accumulating, it was not infrequently the case that great piles of these records were deliberately taken and sold. One case of alarming proportions recurs to me. In these basements were stored the ledgers and books of the old State bank and its branches—something over three thousand great volumes, containing the financial records of that period of the State's history entire, and some day to be of great value to the student of finance, for study or for historic interest. A superintendent of the capitol had these three thousand great books ripped from their leather covers and sent a score of great wagon loads, to the junk dealer's and received for them a good round sum for the heavy linen paper. The covers were burned in piles on the capitol grounds until the undertaking proved too great; because they burned with such slowness, they were hauled off and dumped where a fill was being made in East Nashville for a street. This was years ago.

Under the law the stereotype plates of the volumes issued containing the Supreme Court decisions belonged to the State. There were the plates of many of the volumes stored in the basements under the capitol and ready for printing as they had ever

been. Under a former administration tons of these plates were hauled away and sold by an employee of the State for old metal, and not a cent of the receipts ever went to the State. These volumes are of the greatest use to the bar of the State, and so much are they in demand by lawyers and libraries that a house in Louisville is now reprinting them and selling large editions. These plates could have been sold for more money than they had cost, hundreds of dollars for the plates of each volume, or the reports could have been reprinted at a cost little more than nominal, to the immense saving and advantage of the lawyers of the State and section. But they went for the few pounds of metal in them.

Only the Omnipotent knows how many hundreds of thousands of dollars the State of Tennessee has spent in printing with the intention of placing records and reports where they might serve the people, and only the same power knows what large proportion of the documents have been carted off at the end of each session and sold by the Legislative porters or others for their own private benefit to paper mills and junk dealers. Documents printed by direction of the last General Assembly, printed and laid before them and distributed in a measure, cannot now be had, although the number printed was not half exhausted by the members during the session or afterwards. No sooner is any Legislative session over than the piles of printed documents go to the junk dealers. I saw wagons hauling these documents away at the end of six or eight sessions long ago which I personally reported for the Nashville press, and could but wonder over and over again if there were not places and people in the State that would be glad to have them. It has been the same till now. As one instance of this wholesale destruction of every remaining document as soon as the session ends, a significant case may be mentioned. A gentleman greatly interested in the subject attempted to get a file of the reports of the Tennessee Industrial School, which had been submitted and duly printed. Of the half dozen reports he was able to get but a single one, the last, and has not since been able to locate an earlier one. And yet this is a new State institution, and its reports are not many. The fact that the selling of all this matter, which the State has spent thousands of dollars in printing for the public information,

has so long been considered a perquisite of the porters or of some one else, is a crying shame and a reproach to the intelligence of the people of Tennessee, and to the watchfulness of some employee of the State. The purpose of printing the reports seems to have been lost sight of so completely that they are seized and destroyed as quickly as possible.

There are something like six thousand public libraries in the United States to-day, and not less than two hundred of them are trying to get sets of the reports of the various States for their shelves. And it is a strange fact, not creditable to all the States concerned, that the comparatively new State of Wisconsin has been so diligent in the collection of these valued reports that their Historical Society has in at least ten cases more nearly complete sets of the reports issued by other States than can be found in possession of the States themselves. Yet one of these ten States is the now fully wide-awake State of Iowa, which is trying, before it is too late to repair as much of this neglectful damage as can now be repaired. Much of it is irreparable.

I could but wonder how the State of Tennessee had been keeping up her files of records printed by the State. I made a tour of investigation and asked questions. I wrote letters and asked questions. And the facts are as lamentable as could have been feared. The only manner in which the situation could be made worse is by total destruction. I asked Mrs. Lula Epperson, the State librarian, an intelligent and earnest worker in the interest of preserving the history of the State in its own library, if she had a complete file of the publications of the various departments of the State in the library. She answered that there was not in a single instance a complete set of the printed reports of any department there. And this despite the fact that she had made efforts, as did her immediate predecessor, to obtain missing reports in the various departments. I asked if there was in the library a list of the reports which had been issued by the various departments of the State government, and was told that there was not. It is not even known what the State has printed, much less are there complete sets of the reports. Mrs. Epperson has examined the records existing in the office of the Secretary of State and elsewhere with the idea of compiling a bibliography of the State's publications, but has failed to find the material which

promised anything like full success to the undertaking. It may be that others have wanted to do something in this line; I have not inquired. The significant fact is that the records are not in the library and that not even a list of the printed records is there. Under the law the State librarian submits a biennial report. With the exception of Mrs. Epperson's report to the coming General Assembly and Miss Lauderdale's report to the last General Assembly, not one of these reports for the past twenty-five years is now known to be in existence.

Inquiry at the various departments of State showed conclusively a fact stated above, and that is that in but a single instance is there in any department a complete set of its own printed reports. In the office of the State Board of Health there is a complete set. In the early days, Dr. J. D. Plunkett, the president, and the secretary, Dr. J. Berrien Lindsley, both always addicted to filing away papers and records, started out in the right way. Fortunately this has been kept up, and the only lack is of the quantity of records that should have been printed for this department. Not only their own reports, but those of a large number of other cities and States are practically complete, and need but a sufficient appropriation to enable them to be put in shape for affording much valuable information.

In the office of the Superintendent of Public Instruction there is a complete set of the school reports except for the years long antedating the war, when there were but a few reports issued that have not as yet been secured. When Superintendent Fitzpatrick went into office there were very few of the reports in the office or in the capitol. The set has been filled out by purchase, and both the superintendent and his assistant, Mr. Rutledge Smith, have taken great interest in trying to complete the records of the office. But in this office as in many of the others there is not even a complete set of the original written reports. They have been stored in the basements and elsewhere as they became too bulky for the office, and their fate has been the fate of many more.

It has been so in almost every instance. In not another office is there a set of its own reports, for purposes of comparison or for any reference. The fault does not seem to be with any particular incumbent of any office, but simply with the lack of system that has prevailed.

But even the waste of the printed records of the State has been eclipsed by the carelessness with which the written records have been treated. Originally stored in the care of the Secretary of State, in the room assumingly labelled above the door with the word "Archives," the accumulations year by year grew until in almost all of the offices on the main floor were of necessity stored parts of the papers and records of the State. As more room was needed to accommodate the growing business of the commonwealth, the records were put in one place and then in another until the need for more room overshadowed the proper regard for the safety of the papers. There was no appearance of designedly neglecting their care and preservation, but they were stuck away as old papers of whatever value are apt to be, until their importance was lost sight of. At last the records of the various departments found their way to the west crypt of the capitol and there they remained for a number of years in supposed safety, perhaps, but the crypt was damp and full of leaks, with the slightest ventilation, or none at all.

In this west crypt they lay piled in masses on the stone floors, among old paint barrels, ashes, trash of every description, dirt and grime. They were wet and rotting, and it was during this period that the janitor of the capitol burned up several cartloads because of the fact that they were "wet and nasty and smelled bad." This was the statement that the superintendent of the capitol made at that time to a friend of mine who asked what was being done with the records that were being removed. There are several administrations that will probably show the effects of this when the records are put into proper condition. The condition of the papers burned may have been such as to require or to justify this disposal of them, for, from what I have been able to learn of their condition, they were actually too rotten to handle, much less to have examined, and perhaps nothing else could have been done with them. For this, if it were true, more shame to the State of Tennessee that she did not care properly for the glorious past and for the written records of its own chief executives.

Concerning the condition of the records at this time I knew that Dr. R. L. C. White had knowledge, for he had occasion to consult them in his search for historical facts. I asked him to

state to me what he knew of their condition, and the following reply is self-explanatory:

"Nashville, November 23, 1902.

"Dr. R. A. Halley, City:

"My Dear Sir: In response to your enquiry concerning the condition of the archives of the State, as observed by me, I have to say that I do not see how it could possibly be worse. No commonwealth of all the forty-five has a more illustrious history, and none of them, so far as official action is involved, seems to have taken less pride in its annals or less care for their preservation. Lack of interest during past years and lack of system now have conjoined to produce a state of affairs which it is not putting it too strongly to stigmatize as a disgrace to the State. A pertinent illustration is the fact, which you may recall, that, about a year ago, I accidentally found the most interesting and valuable single document appertaining to our history—the original manuscript draft of the constitution of 1796, with the autograph signatures of all the members of the convention which framed it—covered with dust in the back of a pigeon-hole in an unused closet, where it had doubtless lain undisturbed for thirty or forty years.

No blame for the condition of the archives attaches to the Secretary of State or his predecessors. No official can effect an orderly and systematic arrangement of documents with the facilities at present afforded.

"How much, if any, improvement has been recently made, I have not had an opportunity to observe. My remarks above apply to the condition of affairs prevailing during the period of my investigation of the archives—extending from about 1890 to the beginning of the present year. Faithfully,

"R. L. C. WHITE."

Under the administration of Governor McMillin a start has been made toward repairing the long neglect. From the appropriation secured for repairs of the capitol the esplanade was fixed so as not to leak, and the records were removed from the west crypt to the armory in the basement. There they were at least dry, but they lay for a time gathering dust. Still they were not rotting. The last session of the General Assembly made an appropriation for constructing a room in which to store the records, and this room, forty by sixty feet, was constructed above the hall of the House of Representatives. To this room the records have now been removed. They lay in confusion and unassorted, in such condition that no paper of any period might be found without

rummaging through the whole mass of disordered documents. Out of the money which had been appropriated for the expenses of the governor's office there was a slight surplus. Believing that the care of the State's own records might properly be undertaken with a part of this surplus, Governor McMillin consulted several gentlemen, State officials, and decided to act as they advised, and he employed a competent man to begin the arrangement and classification of the records with a view to future work with them. The room in which they now repose is dry and well lighted, well ventilated, and eminently adapted to the safe-keeping of the records. Some progress has been made in sorting out the papers, but it is very slow, of necessity. Every paper has to be examined and placed where it belongs, but so far the attempt has been confined to getting the papers of each administration together. Mr. Robert T. Quarles, who was for a long time connected with the State Library and employed at the capitol in other capacity, and who is an enthusiast in the matter of preserving the State history in every detail, was the man chosen by Governor McMillin to make the beginning. Mr. Quarles secured boxes, a box for each administration, and so long as the little surplus that Governor McMillin had available lasted he was employed in sorting the papers. As a box would be filled, he would tie up and label the papers, so that the next step becomes the easier. Such was the mass of papers that even this initial step went but a little ways, comparatively. Among those wide-awake officials who heartily supported the governor in his effort to make this beginning were State Treasurer Reau E. Folk, State Comptroller Theo F. King and Speaker Newt White of the last House of Representatives. When Mr. White came into a true knowledge of the state of affairs, after the adjournment of the General Assembly, his greatest regret was that a sufficient sum had not been set aside to keep some competent man at work on the records until the coming General Assembly could meet again. In this Governor McMillin heartily joined, and is an ardent advocate of something more being done. There was not enough money left over to purchase the pressed steel cases so much desired for storing the records, but one section was ordered and will be here shortly. The great need is to keep this work going on steadily, even if slowly at first. But it should proceed continuously.

But the work that is done in this manner, no matter how well meant and efficient, is not all that the State should have, and Tennessee is one of the last States to realize this fact. What is needed is advanced action on this matter, some action that will look to the creation of a department of the State government that will have the systematic care of these things. The various departments have their own several duties to perform, and as a rule their terms of office are not extended. They go out after a few years and feel satisfied in having done their required work well. It has not been theirs to see to the care of records outside their own office. The thing that is everybody's care is nobody's care. Each leaves to his successor what he found left to him by his predecessor and his own accumulations. Room for the books and conveniences of his own office are the prime requisites for his own term, and they are too often provided at a cost of other things or other considerations. What is needed is some department which will be charged with the sole duty of preserving and arranging the records of the State, and keeping the printed books and pamphlets until they can be furnished where wanted; to see that valuable matter, after being printed for distribution, does not find its way to the junk-shop before the ink is dry upon it. Let us stop the selling and burning of the State's expensive printed matter at all events.

A sore need of the State is the establishment of a department similar to that created in many States of recent years, notably in Alabama and Mississippi—a Department of Archives and History. This Department of Archives and History has for its duties the preservation and publication of the State history, the collection of materials bearing on the early history of the State, etc. The Department of Archives and History for the State of Alabama was established by an act of February 27, 1901, and was charged with the "care and custody of official archives, the collection of materials bearing upon the history of the State, and of the territory included therein, from the earliest times, the completion and publication of the State's official records and other historical materials, the diffusion of knowledge in reference to the history and resources of the State, the encouragement of historical research," etc., etc.

This followed three years after the creation of the Alabama

History Commission, which had been provided for in 1898 and charged with the duty of making a "full detailed and exhaustive examination of all the sources and materials, manuscript, documentary and record, of the history of Alabama from the earliest times, whether in domestic or foreign archives or repositories, or in private hands, including the record of Alabama troops in all wars in which they have participated, and also of the location and present condition of battlefields, historic houses and buildings, and other places and things of historic interest and importance in the State," etc. Their report was ordered printed when compiled and the first volume has appeared from the press.

Mississippi followed closely after Alabama, and has already printed several volumes of the papers and records of the State. North Carolina has printed nearly twenty volumes of the State's records, and they are wonderfully rich in matters of rare historic interest. These North Carolina volumes are among the most cherished treasures in the Tennessee State Library and are also in possession of the Tennessee Historical Society. The work of publication is rightly regarded as of prime importance, because of the convenience of any printed record and because of the immensely greater chance of permanency. Such a printed book could hardly perish entirely from the earth in these days of many libraries. That is what Tennessee needs.

The creation of such a department of archives and history in Tennessee could be the means of bringing to the knowledge of the world, and putting in shape for the world to use, the great facts connected with our history. It would rescue from oblivion, into which they shall sooner or later otherwise fall, the glorious past and the names of the men who made it glorious. The duties to be assigned should be comprehensive. As rapidly as possible the existing official archives should be arranged and indexed for ready reference, every record to be included which is not in present use. (Heretofore and till now the archives have been impossible of intelligent consultation. Chaos is the only word to characterize their state.) Copies should be made of any document at as moderate a cost as possible. This would facilitate the use of the records by the public.

In collecting materials bearing on the history of the State special effort should be made to secure everything of a printed

and documentary character, including all books and pamphlets whatever relating to Tennessee, its people or any part of its history; all public and legislative documents and pamphlets, official reports, etc.; all the writings of Tennessee authors; all Tennessee educational and religious literature, such as journals of conventions, conferences and associations, and catalogues or announcements of educational institutions; all old or current files of Tennessee newspapers and periodical publications; all maps of Tennessee, its counties and cities, etc., and old maps of America; miscellaneous historical works and publications, manuscripts and documents; old private letters and correspondence; letter books, diaries, journals, scrap books, weather notes, manuscript maps, field books and journals of participants in the various wars in which Tennesseans have taken part.

It should be the special duty of the new department to complete as far as possible the sets of the printed State records and to take charge of the remainders left at the close of the legislative sessions that may be distributed and exchanged for similar reports from other States. As fast as the records are classified they should be printed in volumes for exchange with the libraries of other States, for in this way volumes could be added to the State Library that would increase its value more than the entire cost of the department. There is no question as to room for this new department. The new room now provided is sufficient for a time, and when it is filled extensions can be made over the entire hall of the House of Representatives and over the Senate Chamber. Should access be desirable with greater ease, the provision of elevator service would benefit the entire capitol any way, and it could readily be made to reach these newly provided rooms.

In some States the work is done through one agency and in others through some other. The agency is a small matter; the preservation and publication of the records is the important thing. If one way cannot be secured, let some other way be tried. The time will soon be past when these things can be done. Many of the records obtainable to-day are going fast into other States, where they will remain. Every progressive Northern State is gathering up Southern history, while the Southern libraries are struggling for funds. Southern States will awake

to their opportunity too late. Even since the General Assembly last met valuable historic papers have left the State, papers which are indissolubly connected with Tennessee's greatness, gone never to return. With some diligent and watchful department, whose business it shall be to secure historical materials pertaining to this State, this can be prevented in future in large part. Some of the States endow the Historical Societies as does Wisconsin; some have special departments. Let Tennessee do something, in some way, and do it before it is too late.

The text of the Alabama act, which follows, affords a splendid foundation for intelligent and patriotic legislation by Tennessee:

No. 476.

AN ACT.

S. 526.

TO ESTABLISH A DEPARTMENT OF ARCHIVES AND HISTORY FOR THE STATE OF ALABAMA, TO PRESCRIBE ITS FUNCTIONS AND DUTIES, AND TO PROVIDE FOR ITS MAINTENANCE.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That there is established for the State of Alabama, a "Department of Archives and History" to be located in the State Capitol in apartments to be set aside for its use by the Governor; and the objects and purposes of the said department are the care and custody of official archives, the collection of materials bearing upon the history of the State, and of the territory included therein, from the earliest times, the completion and publication of the State's official records, and other historical materials, the diffusion of knowledge in reference to the history and resources of the State, the encouragement of historical work and research, and the performance of such other acts and requirements as may be enjoined by law.

SECTION 2. *Be it further enacted*, (1) That said department shall be under the control of a board of nine trustees, one from each Congressional district, and the names of the said trustees, with their particular terms of service, are as follows, viz.: Peter J. Hamilton, for the First Congressional District, to serve two years; Jefferson M. Falkner, for the Second District, to serve two years; W. D. Jelks, for the Third District, to serve two years; J. H. Johnson, for the Fourth District, to serve four years; W. H. Blake, for the Fifth District, to serve four years; Henry B. Foster, for the Sixth District, to serve four years; Oliver D. Street, for the Seventh District, to serve six years; William Richardson, for the Eighth District, to serve six years; and Samuel Will John, for the Ninth District, to serve six years, the beginning of the several terms of service for the purposes of this act to be January 1, 1901. (2) The said board shall have the power and authority to fill all vacancies occurring therein, whether by expiration of term of service, or by death or resignation, but the names of all newly elected members shall be communicated to the next ensuing regular session of the State Senate for confirmation, and

in case it shall reject any of the said newly elected trustees it shall proceed forthwith to fill the vacancy, or vacancies, by an election. (3) All trustees appointed to succeed the present members or their successors whose respective terms shall have fully expired, shall serve for a term of six years, and appointees to fill vacancies by death or resignation, shall only serve out the unexpired terms of their predecessors. (4) The said board shall within ten days after the approval of this act proceed to organize said department. It shall hold at the State Capitol at least one regular meeting during the year, and as many special meetings as may be necessary, and at said meetings five members shall constitute a quorum. (5) The Governor of the State shall be ex-officio a member of the said board, and he shall as far as possible lend every encouragement to the success and upbuilding thereof. (6) The director hereinafter provided shall be the secretary of the board. (7) The trustees shall receive no compensation for their services other than the amounts of their traveling expenses actually paid out while in attendance on the meetings of the board, or on the business of the department. (8) The said board is empowered to adopt rules for its own government, and also for the government of the department; to elect a director, and to provide for the selection or appointment of other officials, or employees, as may be authorized; to provide for the publication of historical material pertaining to the State under the supervision of the director; to have the direction and control of the marking of historical sites, or houses, and the exploration of prehistoric and Indian mounds and other remains existing in the State; to control and expend such appropriations as may be made for the maintenance of the department; and to do and perform such other acts and things as may be necessary to carry out the true intent and purpose of this act.

SECTION 3. *Be it further enacted*, (1) That the department shall be under the immediate management and control of a director, to be elected by the Board of Trustees, whose term of service shall be six years, and until his successor is elected and qualified. (2) He shall take an oath of office as other public officials, and shall be commissioned in like manner. (3) He shall devote his time to the work of the department, using his best endeavor to develop and build it up, so as to carry out the design of its creation, and shall receive for his services the sum of eighteen hundred (\$1,800) dollars per annum, payable monthly as other State officials, and a continuing appropriation for the said annual salary is hereby made. (4) He shall have the control and direction of the work and operations of the department, he shall preserve its collections, care for the official archives that may come into its custody, collect as far as possible all materials bearing upon the history of the State, and of the territory included therein, from the earliest times, prepare the biennial register hereinafter provided, diffuse knowledge in reference to the history and resources of the State; and he is charged with the particular duty of gathering data concerning Alabama soldiers in the war between the States.

(5) He shall make an annual report to the Board of Trustees to be by them transmitted to the Governor, to be accompanied by such historical papers and documents as may be deemed of importance by him, and the director shall contract for the printing and binding of the said report which shall be paid for as other public printing and binding. (6) He shall prepare for the press, contract for and supervise the publication of volume two of the report of the Alabama History Commission, the said volume to be similar to volume one of said report as to printing, paper and binding, and to be paid for out of the public printing fund to be available after October 1, 1901.

SECTION 4. *Be it further enacted*, That any State, county or other official is hereby authorized and empowered in his discretion to turn over to the department for permanent preservation therein any official books, records, documents, original papers, newspaper files and printed books not in current use in their offices. When so surrendered copies therefrom shall be made and certified by the director upon the application of any person interested, which certification shall have all the force and effect as if made by the officer originally in the custody of them and for which the same fees shall be charged to be collected in advance.

SECTION 5. *Be it further enacted*, That an official and statistical register of the State of Alabama shall be compiled every two years by the director, to contain (1) brief sketches of the several State officials, the members of Congress from Alabama, the Supreme Court Judges, the members of the Senate and House of Representatives of the State of Alabama, (2) rosters of all State and county officials, (3) lists of all State institutions, with officials, (4) State and county population and election statistics, and (5) miscellaneous statistics; and said register shall be published in an edition of one thousand copies for free distribution, the printing and binding to be paid for as other printing and binding heretofore provided.

SECTION 6. *Be it further enacted*, That the department is charged with the duty of making special effort to collect data in reference to soldiers from Alabama in the war between the States, both from the War Department at Washington, and also from private individuals, and to cause the same to be prepared for publication as speedily as possible.

SECTION 7. *Be it further enacted*, That in addition to the salary of the director hereinabove appropriated, the sum of seven hundred (\$700) dollars annually is hereby appropriated for the maintenance of the said department, and the auditor is hereby authorized to draw his warrant on the State Treasurer for the whole or any part of the said amount, in such sums and in such manner as may be authorized by the Board of Trustees. All printing, blanks, circulars, notices, or forms, which may be needed for the use of the said department, that may be embraced in class four of the public printing act, shall be executed by the public printer, and shall be paid for as other official work done by him.

Approved February 27, 1901.

THE DEVELOPMENT OF EDUCATION IN TENNESSEE.

BY H. M. DOAK.

[The following valuable address was prepared by Mr. Doak at the request of a Committee of the Tennessee Historical Society, to be delivered at the Nashville Centennial of 1880. After its delivery he turned the manuscript over to the committee, which expected to publish all the addresses delivered on the occasion. The funds at the disposition of the committee failed, and the address was never published.]

I found the manuscript in the archives of the Tennessee Historical Society, without any explanation of its presence there. Upon communicating with Mr. Doak, I ascertained that he had handed the manuscript to Dr. J. S. Blackie for editing. After Dr. Blackie's death he tried hard to find it, because he had given much time and labor to it, but was unable to get any information concerning it, until I called his attention to its presence in the Tennessee Historical Society. It is probable that Dr. Blackie or his administrator gave it to the Society.

It is an able paper, prepared after discriminating and exhaustive research, and I take pleasure in giving it publication.]

Education, as a general term, comprehends all that environs and develops man—the individual, the nation, the race, the genus. With the individual it begins when first the infant bundle of capacities, latent energies and senses is submitted to the world to have its dormant faculties aroused. Society passes through an exactly analogous experience. From infancy to inevitable decay and death, society is but an individual, composed of individuals. Nations have their periods of infancy, exuberant youth, ripe manhood, imbecile old age and, dying, leaves, like the individual, descendants to inherit the stores of wisdom and knowledge which, with frugal care, they have gathered and hoarded.

Tennessee, with one century's growth, is just emerging into hopeful youth, with an ample portion from the ancestral estates. I find my task to glance at the manner in which this patrimony has been used during the century of existence and chiefly as to that part of education which pertains to the individual and of

that part, the portion of educational work done in schools, the subject naturally divides itself into state and non-state education but the two are intimately blended in our history.

Taking our stand in imagination upon the summit of the century, which had just closed with the beginning of 1780, what do we see? From the solemn solitudes of the Alleghenies to the rude escarpments of the Cumberland Mountains, from the western cliffs of the table land to where the Mississippi rolls, yet unruffled by commerce, lies the awful stillness of a land tenanted by the dead. The treaty of Paris has destroyed the title of France and the claim of Spain is just growing, like a dim shadow on the tenure of England, soon to darken faintly the title of our ancestors, and then to fade away forever. Indians from the North and from the South build their watch fires upon the blue peaks of Tennessee, thread its forested hills and valleys and meet in battle upon its verdurous plains. It is the theater of savage war, and hunt, the burial ground of a departed race, a lovely land of death, an unbroken solitude, save that yonder in the East a few rude cabins stand grimly on the picket line, the guard huts of advancing civilization. Standing upon the pinnacle of this century and looking back a million and a half of free men, gaze upon a sublime spectacle. At two points, in the beginning of the century, stand the Watauga and the Davidson settlements—society just bursting into life. In the course of the century these have met and overspread the intervening territory. The forest has been overcome; the savage driven back; duties laid upon the people from within and from without have been, for the most part, performed, foreign foes confronted in three wars, civil dissensions allayed, evil tendencies within successfully resisted, social diseases cured. When the past century, with its moral, religious, intellectual, political and physical conflicts, looms up through the misty veil of ages, it will appear as the romance era of Tennessee, the age of Titanic conflict.

During the century Tennessee has provided hardy population for the South—Southwest and West—the cradle of population, the nursery of soldiers. Virginia has been called the "Mother of Presidents." Tennessee has won the yet prouder titles of "The Volunteer State" and "The Mother of States;" she is entitled to the still nobler distinction of having been the center of

intellectual and religious progress in the Southwest. The education of the young society of Tennessee was the process of imbibing the learning and wisdom of the older colonies and of the old world, of adapting itself to new conditions and of developing character. The population of Tennessee was at one time estimated as nine-tenths North Carolinian. At the last census, of 211,551 citizens, born in other States, 51,110 were from North Carolina, 43,387 from Virginia. These two states were the chief sources of population; therefore the early educational progress of these states was the progress of Tennessee. From the beginning of settlements in North Carolina, between 1650 and 1660, down to 1776, the proprietary councils and colonial assemblies passed many acts for the encouragement of an orthodox ministry, for the regulation of vestries, for the building of stocks, pillories, jails and court houses and very few for the encouragement of learning. Down to the close of proprietary government in 1729, almost the only education was such as parents could impart to their children, or such as native intelligence could acquire. Sir William Berkely said of Virginia in 1671: "Every man instructs his children according to his ability; but, I thank God, there are no free schools or printing." The same was true of North Carolina. In 1700 Rev. Dr. Bray, aided by Bishop Compton, of London, obtained from the king twenty pounds for every minister and teacher who could be induced to labor in that field where there was little religion, little learning and no churches or schoolhouses. The Episcopal Church made the first efforts to establish churches and schoolhouses in our mother State. A few devoted, earnest men labored faithfully from the standpoint of establishment and accomplished little. In the early part of the eighteenth century there were perhaps a dozen schoolhouses, although there is no record of more than four. In 1784, Governor Johnson declared that no care had been taken "to inspire the youth with the least tincture of literature." Martin says there were but two schools in the whole province at the end of royal government; but Martin is notoriously inaccurate; there was certainly a school among the Scotch Presbyterians of Mecklenburg at Charlotte. The framers of the first Declaration of Independence must have made considerable advances in education, for they were, before the Revolution, sending their sons

to complete their education at Princeton, N. J. Two notable instances were Dr. Brevard, the framer of the declaration and our own Rev. Thomas Craighead. From the first settlement down to 1776 there were not more than eight or ten acts relating to education. Among the acts which followed the Revolution were two charters establishing schools in Tennessee. One was the charter of Martin Academy, 1783; the first school west of the Alleghenies, Samuel Doak, D.D., president; the other Davidson Academy, 1785, Rev. Thomas Craighead, president.

A large number of our early educators and ministers came from Virginia, whence we derive a considerable part of our population. Virginia was more favored in churches and schools than North Carolina and especially in that higher education which precedes the lower. The first gleam of the torch of learning was extinguished in 1619 in a bloody massacre. In 1660 a college was endowed by the Legislature and in 1690 Rev. William Blair, aided by Bishop Compton and Governor Nicholson, established William and Mary College, except Harvard, the oldest and, at one time, the wealthiest and most important college in America. In 1700 crowds came from all quarters, in conveyances of all kinds and even in vessels from all the seaport towns of the colonies to the commencement. Directly, or indirectly, this institution must have exercised some influence on a state which drew so largely on Virginia for population. From these two states came the germs of education. The first constitution of North Carolina made provision for schools and for one university. Down to 1861 the University of North Carolina educated yearly large numbers of Tennesseans, many of whom have filled, and now fill, high places, one of whom will be indissolubly linked with the material regeneration of the State.

Of all the agencies which have operated upon Tennessee from distant seats, perhaps Nassau Hall, Princeton, N. J., stands among the first. It will not be denied that the Scotch Presbyterian element has been the leading power in pioneer education in the Southwest. The churches which have since rivaled it in culture and surpassed it in wealth and influence, then found their noble mission to labor among the masses, to lift the people to a higher plane. The Presbyterians drew their qualifications for this work from the land of John Knox and its universal educa-

tion. The labors of the great church, founded in Tennessee by Bishop Asbury, himself the founder of the first Methodist school in America, and of the Baptist Church, were of equal importance, if of a different character. The one labored from above downward; the other from the foundations upward, until, to-day, after many a conflict about the color of the shield between them, they stand, in Christian brotherhood, upon the same plane.

The spirit, the sturdy character were here, but the College of New Jersey, as the leading Presbyterian school, through its alumni from Virginia and North Carolina and their descendants and pupils, exerted a great influence. It was the far and the pure spring, whence many a stream of healthful influence ran into Virginia and North Carolina to unite afterwards in Tennessee.

While the Presbyterians furnished the pioneers in education and the other denominations labored for the elevation of the masses, instilling religious sentiments and higher aspirations, it must be borne in mind that the rest patronized liberally the schools, aided with their influence; and the Methodists, Baptists and later, the Cumberland Presbyterians assumed a large share in primary, academical and especially female education, invaded the higher field and, to-day, stand among the first.

The men who composed the population of Tennessee in that day were in the main unlettered, but not unlearned. To them were added as they advanced, self-sacrificing ministers, teachers, ambitious young men, and thus society went on building itself, sufficient at each successive stage for the circumstances by which it found itself surrounded. It needed the axe and the rifle and these almost alone at first. As a place was conquered in the forest, higher aspirations came to develop higher things.

It is singular that, while the constitution of North Carolina, from which that of Tennessee was largely drawn, made provision for education, that of the rebel state of Franklin, framed by Rev. Samuel Houston, was rejected, partly on account of such provision, of which Dr. Doak was the reputed author, and the subject was not mentioned in the Constitution of Tennessee. The Legislature, nevertheless, engaged in the work of chartering schools and early charters indicate a demand for educational facilities. The Legislature of Franklin rechartered Martin Acad-

emy; the territorial Assembly chartered Blount College in 1794, now the University of Tennessee and, in 1795, changed Martin Academy to Washington College, in honor of the illustrious President of the United States. In 1803 Davidson Academy was re-chartered as Davidson College. Washington, Davidson, Blount and Greenville were the pioneer institutions of Tennessee, each under the care of a man of genius, of robust, manly, physical and moral qualities, each ready for duty in schoolroom, church, or field, each possessing the faculty of impressing himself on young men, of instilling moral virtues along with intellectual culture.

Samuel Doak, D.D., a native of Augusta County, Virginia, was the son of Scotch parents who emigrated from north Ireland, in the early half of the eighteenth century, to Pennsylvania, and removed to Virginia shortly after their marriage. He was educated by Robert Alexander at August Academy, afterwards Liberty Hall, then endowed by Washington and called Washington College, now Washington and Lee. He graduated at Princeton in 1775, under Dr. Witherspoon, was a tutor at Hampden-Sydney for a short time and was preaching in Tennessee in 1779. He was a member of Franklin convention, founder of Martin Academy, of Tusculum College, and, connected with church and schoolroom for a half a century, he has left the impress of his learning and character upon the State, the South and the Southwest. He was a thorough classical scholar, a man of fine physique, of indomitable resolution and courage and a rather imperious temper in the line of legitimate authority. The hardships of the pioneer educators were fully illustrated in his life. Shortly after coming to the State, his young wife, in his absence, was startled by the savage warwhoop and barely escaped to a friendly copse. Once he dismissed his congregation with a brief benediction and led the male portion against the Indians; and at another time he led his entire school to meet an invading force. Washington afterward flourished under his son and grandson, and he is still worthily represented in the work by descendants at Greenville and Tusculum Colleges, now merged in one.

Greenville College was chartered in 1794 by the territorial Legislature. Rev. Hezekiah Balch, the first president, was a native of Maryland, a graduate of Princeton. He was a man of

ability and endurance which enabled him to stand up for years against that ecclesiastical tyranny of which our early history exhibits so many traces. Sixteen trials before presbytery, four before synod and one before the General Assembly on the charge of Hopkinsianism, which he had imbibed while traveling in New England, wasted health and means, broke up his school and still he labored on, preached as he thought, taught as he could and died at last, leaving an honored name with those who would have destroyed him for his opinions. Bigotry in Tennessee was, fortunately, manifested about great questions, or it would be no attractive page in our history. It was the war of giants, but it was, for all that, ecclesiastical tyranny against individual judgment and that enquiry which must be met only by enquiry and not by ecclesiastical bulls.

Blount College was chartered in 1794, with Rev. Samuel Carrick, president. A native of Pennsylvania he came early to Virginia, where he studied theology and labored for many years, married and emigrated to Tennessee in the infancy of the Knox settlement in 1787. I have drawn for the facts of this case, from a recent address before the alumni of the University of Tennessee, by Colonel Mose White, editor of the *Knoxville Tribune*, in which, with great ability and research, he has sketched the life of this pioneer in religion and learning and the progress of education under difficulties. Mr. Carrick was a man of ripe scholarship, adventurous spirit and broad liberality, displayed in the charter of Blount College, which Colonel White claims to have been the first truly non-denominational school in America, by a little preceding Union College, which Mr. William Wells claims to have been the first. Carrick, too, followed duty wherever it called, preaching to the scattered settlements in defiance of danger, teaching in Blount College and the East Tennessee College after the merger in 1806. Colonel White relates how, when the infant settlement was threatened at a time when death had invaded his household, he embraced his children, kissed the cold lips of his dead wife and sought the post of duty, leaving to the women of the colony the performance of the last sad rites.

Rev. Thomas Craighead came of an illustrious Scotch family which, inheriting the learning and spirit of old Scotia, shed

along its path the rare and subtle virtues expressed from sound stocks by oppression. Escaping establishment in Ireland, most of these people avoided establishment in New England and sought freedom in North and South Carolina, Pennsylvania and Virginia. Rev. Thomas Craighead, like most of those who came to New England, settled in New Hampshire.

Rev. Thomas Craighead died in his pulpit in Pennsylvania. His son, Alexander, after connection with several presbyteries, left that State in 1749 on account of a pamphlet to which objection was made by his majesty's justices and which was pronounced by the synod, "full of sedition and treason." It was one of the earliest expressions of the growing desire for independence. In 1755 he settled in Mecklenburg County, North Carolina, where he found kindred spirits, farseeing compatriots, in whom his views took root and bore fruit in the Declaration of 1775, which he almost lived to sign. Of such descent and parentage was his worthy son, Rev. Thomas Craighead, the Nashville pioneer in education, a contemporary at Princeton with Dr. Samuel Doak. Mr. Craighead settled at Hillsborough, six miles east of Nashville, about 1785, where he presided over Davidson Academy and College from 1786 to 1809.

Davidson Academy owned its origin to General Robertson, a man of the same Scotch stock to which belonged Jackson, Donelson and most of the early settlers, founder of the colony and then its representative in the North Carolina Assembly—Robertson, the lawgiver and counselor of Watauga, the father of Nashville—a man of native intelligence and broad, liberal views, educated by circumstances, fitted to cope with all the difficulties of the wilderness, the first to make Tennessee soil yield its iron treasures—equal to any emergency, able in diplomacy to deal with Spain's ablest and most liberal New World governor—Miro, whose name the territory around us once bore. Such a man was founder of our first school and to him it was due that Craighead, the friend of Jackson, Donelson and Robertson, spent his life in Tennessee and left it the better for his coming. Mr. Craighead presided over the school after it was merged into Cumberland College in 1806, until Dr. Priestley succeeded him in 1809. In person he was tall and spare, with sandy hair and blue eyes, the regular Scotch type. He was bold and firm; in

oratory captivating. Dr. Campbell paid him a high compliment when, attacking his opinions in the synod as Pelagian, he said: "You are no Locke, no Edwards, no Butler; but you are capable of being what I should covet infinitely more, a Massillon." He was tried on the usual ecclesiastical charge—want of orthodoxy. He was no Edwards with cold logic, but so happily composed that he occupied the golden mean between the sentimental revivalists whom he strongly opposed and whose good work he underrated, and the logic choppers. In the pulpit, with intellect and emotions in happy equipoise, he moved at equal pace the intelligence and the emotions of his audience.

It is a singular fact that the three American Craighheads, father, son and grandson, enjoyed the honorable distinction of being each the subject of frequent ecclesiastical enquiry. Each, for progressive opinions, was called to lie upon the bed of the ecclesiastical Procrustes. Neither would be cut off or stretched out and each, without recantation, or secession, died revered in the bosom of his church. It is enough to say of our educational pioneer that he came triumphant out of an eighteen years' struggle against the iron rule of standards and subtle theories, acquitted by the General Assembly in 1824, a year before his death. In that struggle, Andrew Jackson, of the same sturdy stock, whose mother had found a friend in the family of Mr. Craighhead's father, was his staunch friend. "Old Hickory" did not know the difference between Pelagius and St. Jerome, between Pelagianism and Augustinianism. Applying a simple formula as a test, "By their fruits ye shall know them," he knew an honest, earnest man of character and of value to the community.

I would not seem to underrate the services of either side in these struggles. It was individual judgment earnestly laboring for freedom from iron rules; on the other hand it was as honest, as earnest conservatism, holding fast to an old position sanctified by time. Between these two forces, society finds the golden mean of true conservative progress. If conservatism would sometimes stand still, progress would quicken the even step to a "Deil tak' the hin' most" pace and go "hurlin' down the hill withouten dread." Liberalism must go forward or we stop; conservatism must put on the brakes, or we go too fast and too far.

The educators of that day gave thorough training, making

neither great scholars, great students, nor bookish men. Tennessee, the South and the Southwest was no field for such men; they would have been out of place living and seeking a place they would have starved. The immediate practical was always in sight, but it was a practical in which intelligence and a lofty sense of the supreme obligation of duty lighted the way. Education in the early times was the enterprise of bold, devoted men, imbued with religious or the teaching enthusiasm, and generally both. It was often the work of young men preparing for the ministry, or for college, of ministers combining school with church. In such "old field schools" as were taught these were the teachers, or, they were the more advanced, and generally, very little more advanced, of the young men or young women of the neighborhood.

I must here allude to a gentleman of national fame, whose twenty-five years of service in Nashville demand such reference as I can give to his labors in the work of education. In one sense Dr. Philip Lindsley was a pioneer, for he stood at the beginning of a period. His great learning, brilliant intellect and personal worth; the long period of his service; his clear and far-reaching view of the relations of Nashville and of Tennessee to the cause of Southwestern education, the principles implanted, the large and liberal conceptions he helped to form in others; the illustrious men sent forth as new centers of thought and of action, throughout Tennessee and the Southwest and the unfolding here of all his prophecies in our magnificent and rapidly developing system of education, declare him a master builder of that temple whose foundations only are yet laid. His illustrious compeers, his earnest and faithful co-adjutors, his able assistants and contemporaries and his noble successors, his son, Rev. J. Berrien Lindsley, who succeeded him, and General E. Kirby Smith, I leave to the historian of education in Tennessee. Of an illustrious English line he was another of old Nassau's gifts to Tennessee. That he could occupy, temporarily and demonstrate his fitness to be called permanently to, the presidency of Princeton, of itself stamps him one of the first men in the country. For one man, capable of administering successfully the affairs of a great university, a dozen may be found capable of administering the government of the United States. Of numer-

ous calls to various colleges he accepted that of Cumberland and was inaugurated president of the University of Nashville in 1825.

His lectures and addresses attracted wide attention even in Europe and procured his election as a member of the Royal Society of Antiquities at Copenhagen. Those in which he contended for the high civilization of man as his primitive state, attracted especial attention. They have a special interest now as an anticipatory reply to Darwinism. With the forethought of a broad mind he took a serious view of Lord Monboddoo, holding that his simian theories were not mere trifling and foolery, but a logical deduction from certain almost universally accepted views. Such was the intellectual character of the man who saw the nature of the coming struggle between church and science, as he foresaw the future of Tennessee and of Nashville as the coming educational and intellectual center of the Southwest.

He was scholarly in method and style, a scholar in fact and withal a practical man. Had he been more of the aggressive-practical could he have accomplished more? With the man-compelling power, or the arts of the politician to attain ends by ways open and occult, greater temporary show might have been made. Short-sighted Legislatures might have been bent to further great aims; but such was not the way chosen to prepare the field. The foundations were laid broad and deep. A less patient builder, a quack in education, would have reared a splendid structure on the sand.

The college land controversy, growing out of the donation to education in Tennessee, afforded the demagogue a fertile field for his pernicious tillage. Honorable John Bell, in the first address to the alumni of the University of Nashville, in 1880, spoke of the fatal habit "of regarding slightly the obligations of good faith which grew up with the progress of indulgence to debtors of colleges and schools." There were real grievances, which Mr. Bell, with sound statesmanship, recognized. In the main it was that same fatal demagoguery and disregard of obligations which has again returned to plague the State, perhaps, partly from that former teaching. The representatives from the South of Holston, said Mr. Bell, became "the Swiss guard in the Legislature." Every election, from clerk to United States Senator, every question of public policy, was made to turn upon that single issue,

and a prejudice grew up in the popular mind against colleges and academies which it has taken years to eradicate.

The right course was taken when the president, Dr. Lindsley, and an able corps of assistants, aided by liberal and far-sighted citizens, still appealing to the Legislature, using the press and every means to enlighten the public, went on sowing seeds to bear fruit in coming times, showing capacity and efficiency, turning out able men to bear witness in the future, building a community, which has attracted your Vanderbilt University, which has established your law and medical schools, which has drawn hither your normal school, built your high schools, and your female schools, Dr. J. E. Blackie's, Dr. Ward's, and Miss Bryan's, and drawn hither your Fisk, Tennessee Central and Baptist colleges to do their great work amongst the African population.

Since 1825 Nashville has grown from a turbulent trading station of 3,500, a backwoods town of forty-five years growth from the stump in the wilderness, to a city of 60,000 inhabitants, with its great school system, its colleges and universities, its numerous churches, its cultivated and refined men and women, to the liberality of thought and generous culture of a metropolis. Who will deny to the man who with his assistants turned out in twenty-five years four hundred graduates and taught two thousand students that they performed their part in this great work. The war with its evil teachings, its concomitant vices, enforced idleness and disorganization, interrupted the work in 1861, snapped many a subtle thread in the well-woven fabric, but the substantial warp remained. The foundation and framework were left standing. The strongest fabric of earth, the most enduring, defying foreign war, domestic dissensions and material injuries, is the compact texture of a well-wrought social order whose morality is ingrained with the intellectual fibre. This was left, battered and defaced, in the rude convulsion, but still adequate.

The remarkable multiplication of colleges in the twenty years preceding the war may be fairly attributed to the labor which sent out near two thousand young men to teach or to encourage education. Twenty colleges were established within fifty miles of Nashville. This multiplication was diffusion, wasted energies and means, but it was the inevitable struggle which precedes

the healthful concentration now going on. For a time it retarded the work of building a great university, until it could be demonstrated that every village cannot be a great seat of learning. To the students sent out between 1825 and 1861 we must attribute the high position of Nashville as an educational center. If we build monuments to the soldier and the statesman, who, at best, but prepare the conditions essential to social development, should we not the more commemorate those who labor at creating the very intellectual and moral elements of social growth?

The first female school chartered by the State was "Fisk Female Academy," chartered in 1806, established in Overton County by Moses Fisk, a native of Massachusetts, a thousand acres of land, each, being donated by Moses Fisk and Sampson Williams. For personal facts in his history I am indebted to an address on county history, delivered in 1876, by A. V. Goodpasture, Esq., of Overton. Fisk was a man of ability, a graduate of Dartmouth, an eccentric genius, a successful man and a teacher who planted the seeds of learning in the mountains, the teacher of many young men. He was made trustee of Davidson College in 1803 and of Cumberland College in 1806. He was a lawyer, a compiler of statutes and a great surveyor, laying aside the manuscript of a Greek grammar to engage in the survey of the State line. Female academies were chartered at Knoxville and at Maryville in 1811 and 1812, respectively.

Nashville Female Academy was chartered in 1817, Dr. Daniel Berry serving as principal down to 1820, when he was succeeded by Dr. William Hume, "Father Hume," as he was called, who died of cholera in 1833, and was succeeded by Dr. R. A. Lapsley, who presided until 1838, followed by Dr. W. A. Scott until 1840, after which it was under the care of Elliot and Lapsley until 1840. From 1840 until 1861 Dr. C. D. Elliott administered the affairs of the school. It was closed by war, and the supreme court of the State in 1878, in the case of Elliott against the stockholders, directed the sale of the property and distribution of the proceeds. To show what was lost to Nashville, what Nashville was capable of and what by concentrated effort it is still capable of, I give the statistics of its operations:

Year.	Pupils.	Boarders.	Graduates.	Teachers.
1820	115	...	4	3
1830	124	...	8	5
1840	198	18	8	10
1850	305	83	14	16
1860	513	256	61	32

In 1860 there were seventeen music teachers, thirteen selected directly from the musical centers of Europe, and four hundred and twenty-five music pupils. At that day Nashville was only surpassed in classical music by New York, New Orleans and Boston. Dr. Elliott, under whose care these results were attained, was a graduate of Augusta College, Kentucky, the first Methodist college with power to confer degrees. He is said to have been the first Methodist minister to engage in Nashville, in teaching as a regular profession and, therefore, a pioneer of all that host of able and devoted teachers of that great, progressive denomination, which has so many now engaged in that work in and around Nashville. The influence of this great school in the Southwest can never be fairly estimated. The alumnus lists of our male colleges rarely fail to tell us who among their graduates have been doctors, lawyers, preachers, senators, congressmen; but who will trace the influence of wise training and noble culture upon the women of the land, who at last give the impulse which leads their sons on to success? Our colleges trained the sons, but the academy turned out refined and intellectually and morally cultivated women, the mothers of the sons. Business capacity, rare skill as a manager and teacher, the love and confidence of the pupils, broad, liberal and progressive ideas, the absence of all charlatanry and confidence that, when his name was set to a diploma, it was done with the same care he exercised in signing a note in bank and meant that he "endorsed" that scholar as graduated, gave Dr. Elliott this wonderful success. In a pecuniary point of view it more enriched the community than all the male schools here now; in a moral and intellectual point of view, it was a center of culture, refinement and art. The field is here still; the same capacity and the same concentration of the efforts of our present efficient laborers will attain the same results, in female education.

There are many matters connected with the subject of education, interesting, curious and profitable, which want of time forbids

me to touch. The effect on education of the Arminian and Calvinistic controversy; the Hopkinsian controversy within the Presbyterian Church, which enlisted such giants as Frederic A. Ross, Galaher, Anderson and others; the movement which culminated in the establishment of the Cumberland Presbyterian Church would be exceedingly interesting subjects for examination. It is a curious fact that Maryville Theological Seminary, established in 1819, could not obtain a charter on account of prejudices growing out of the conflict between the two wings of the Presbyterian Church and Methodist Church, a three cornered contest, in which prejudices invaded even the legislature. The fact shows that churches played a part in politics they do not play in this day. The gradual growth of the Baptist, Methodist and Cumberland Presbyterian churches to their present high place in the education of the state is an exceedingly interesting chapter in our history, as well as the growth of the Episcopal Church to a place in the educational work. These questions belong, however, to the historian of education. There is the charter of Valadolid Academy, established earlier, but chartered in 1805, which recites the names of the trustees and adds the title, "gentleman," I believe the first and last time citizens of Tennessee are thus referred to in our legislative history showing the last trace of respect for caste. The history of Robertson Academy, chartered as one of the State academies in 1806, it were interesting to trace. The local, personal and, from the name, political, conflict between Davidson Academy and Federal Academy, with Andrew Jackson and Mr. Craighead on one side and the Federal judge, McNairy on the other, carried into the legislature and finally, satisfactorily compromised, would form an interesting chapter. The school lottery craze, when every public and many private schools bethought them to grow suddenly rich and great. Lotteries in Tennessee to-day would be a tremendous crime, because they would be a tremendous shock to the moral sense of the community. Things "by season seasoned are;" they had not demonstrated their terribly demoralizing effect in that day and the very prevalence of the lottery lunacy, which was never profitable, so far as I can learn to any school, enabled Tennessee to get rid of a crime which still disgraces some of our sister States.

There are many names of eminent men, such as Anderson, the founder of Maryville Seminary; J. N. Bryson, of Viney Grove, the pioneer of education in Lincoln County; and many others as deserving of mention as those I have mentioned. These I leave to the historian of education, with the remark that, perhaps we have not yet reached the point where that can be written, or if written, read. We have not passed yet the point of glorying most in military achievements and political struggles, nor is it desirable that our society shall exhibit any such unwholesome precocity. All things in season and in their order will be best.

The great and conservatively progressive Catholic Church owes the beginnings of its educational movements in Tennessee to Bishop Miles, under whom the Sisters of Charity from Nazareth, Kentucky established the first school here in 1840. St. Agnes, Memphis, was established in 1850. St. Cecilia, under the care of the Dominican Sisters, whose care is the education of young girls for their place in society, was established in 1860, by six ladies, members of St. Mary's Literary Institute, Perry County, Ohio. Its graduates number about seventy and it is sectarian in no sense other than Protestant schools which are under the special care of a particular church. St. Bernard School and the St. Mary's Parish free school, both under the care of the Sisters of Mercy, with an attendance together of about five hundred, were founded in 1866. There is none who understands the universality and conservatism of the Catholic Church and none who knows the sweet and intense devotion of the sisters of these noble orders but will rejoice that they are worthily performing, through their influence on the young, a worthy part in the working out of the great problem of the development of the best social order from the elements of population in Tennessee.

State education forms an interesting chapter in the progress of Tennessee. The tendency of the world is toward popular State education, and woe to the church, the party, or the man who stands in the way. The ablest Protestant opponent of State education, Dr. R. L. Dabney, of Virginia, President of Hampden-Sydney Presbyterian Seminary declares that it must become secular or nothing, and then proceeds to show that, in Scotland and New England education was a part of the established church machinery, while in Germany, the churches provide religious

instruction in the public schools. This proves too much. The school system of Prussia is admitted to be the most efficient piece of machinery in the world of its kind. If State education is combined with secular State instruction in that system it is hard to see why they are incompatible in other systems. He also declares that no State, Christian, pagan, or Mahometan, ever thought of a purely secular education in the schools until it was attempted in the United States. This is a mere bugbear to frighten worthy people; accepting the conclusion that the inevitable tendency is toward purely secular education in the schools and, it is also true, that no country, Christian, pagan, or Mahometan, ever thought of a State without a State church, until it was attempted in the United States, to the satisfaction of all churches. If purely secular education shall flow from this system, the churches will adapt themselves to the new conditions, as they adapted themselves to the condition of free churches in a purely secular state.

The common school is not the peculiar growth of any people. Like causes have produced it in several countries. John Knox may be called the father of the modern free school although, as established by him, it was merely the right arm of the church. The same spirit of awakened enquiry developed a similar system in New England, the basic principles of which were learned in Holland. While there were important differences between the Scotch and the New England Calvinists, there was the same clear perception, that liberty of thought and of religion, acquired by independent enquiry and the exercise of individual judgment, could only be maintained by a people educated to think and to enquire. Prussia also developed independently a system of common school education. The Reformation created the essential conditions, but was not, as in the other cases, the immediate cause. The desire to recover, by intellectual superiority what had been lost by arms was the proximate cause, or rather the occasion of the growth of the system.

Many of our citizens have joined with enthusiasts whose especial mission it is to remodel every state after the pattern of New England, to extol the common school system of that country and criticise our own. One denounces our system because it is a Yankee invention, and another is equally severe because it is lacking in essential New England qualities. I have heard one

recently criticising our county system and extolling the State system, forgetting that, in New England, the school system was essentially a community development, forgetting that, if they have a State system, they have had two and a half centuries in which to grow it from the townships. Local government has never been carried further than in New England. These enthusiasts are also accustomed to compare their best with our worst. In Barnard's Educational Review will be found the testimony of eminent men, educated in early life, in the country schools, amongst them Noah Webster. The candid reader will conclude that the country schools were the exact counterpart of our old field schools. They are equally inefficient to-day, when compared with the city schools; and the same is true of Tennessee schools. Such was also the conclusion reached by the French commission of 1876, after a thorough examination. Our own superintendent of public instruction, after hearing the testimony of the Northwestern superintendents at Indianapolis, came to the conclusion that the engrafted system of New England in the Northwest, exhibited the same lack of organization and of effective teaching, of which complaint is made in Tennessee. It is provincial weakness denies to New England her virtues and her great and worthy part in the progress of this country. By all means let us have light from all quarters, but it is not necessary to believe that every farthing dip is an electric burner of forty candle power, just because that is the opinion of some purblind admirer. I only insist that our development is in our hands. If it is not directed by a spirit within, it will not be guided to any good, by influence from without. With no servile copy, studying the systems of others, and receiving light from their experience, Tennessee must build upon her own foundations in her own way.

The educational progress of Tennessee has been all of a piece, gradual development, from the ground up, and there is no reason to be ashamed of any part of the work. An apparent break occurs with the convulsion of 1861, but the changes made only brought about more rapidly logical, systematic development, the sequel to that which had been done. The acts under which the State is now making substantial progress are a logical advance from a long series of experiments, requiring changes, slight in form although important in substance. The past was not, as

many suppose, swept away to give place to a new system and a new civilization. This must be emphasized; for, now that Tennessee is beginning to take her old high place in the work of education, many believe that we have transplanted a system from New England, instead of growing one in our own soil. It is a common opinion that the debris of the past, and the wrecks the war left strewn over the land, were swept away and something entirely new set up in their place. Society is not so easily destroyed and does not so readily adapt itself to exotic systems. All history shows that the primitive granite is scarcely more enduring than community characteristics. War cannot erase, revolution efface, tyranny crush, nor law destroy the tendencies, forms and methods which are an outgrowth of the thought, sentiment and history of a people. The progress of the Tennessee school system has been consistent development from within, a gradual unfolding, in accordance with the origin and history of the community and the conditions by which it has been surrounded.

The great educational movement in the United States began with the nineteenth century. Up to that time popular education, where it was at its best, at least outside the cities, was the merest "old field school" business. Our statutes show that Tennessee participated in that movement, while isolation, sparse population, rapid expansion over a large territory and the circumstances surrounding a new community, deprived the movement of its full effect. In 1806, congress donated 100,000 acres of land for the establishment of two colleges, 100,000 acres for the establishment of academies in each county and 640 acres in each township for the maintenance of common schools. That act contained at once the germs of the school fund and of a school system to be worked out by a half century of experiment and a pregnant question, which retarded the cause of education more than the school donation advanced it. The act required that the lands should be sold at not less than two dollars an acre, but they were located south of the French Broad River where the settlers were to receive their lands at one dollar per acre. The fund was thus reduced one half, interest frequently remitted, most of the principal lost, delays granted, and prejudices against schools and colleges engendered throughout the State, which have had a most unhappy effect upon the progress of learning.

The first constitution did not mention the subject of education, but, acting within the scope of their general authority, the Assembly, in 1806, converted Blount College into the College of East Tennessee and Davidson College into Cumberland College, established twenty-eight academies, created commissioners to take charge of the school lands and funds arising therefrom, and directed the common school lands to be laid off. The earlier acts are devoted mainly to the academies. The school lands were directed to be leased, and various acts, altering, amending and repealing, show growing thought on the subject until 1817, exhibited an increasing interest. In 1821 Warren and Franklin counties were directed to have school commissioners appointed by the county court, for the establishment of schools and thus the school system of the State grew up from an act, at first local in its operation. In 1822 the provisions of the act were extended to other counties, and in 1823 the first general school act was passed, directing the county courts to elect a board of five commissioners in each county. The commissioners were directed to employ teachers, to build school houses and to educate the poor free of charge. This was the beginning of what was known as the pauper system, which also existed in Virginia, and in both States continued down to 1861. It worked badly in some respects as the poor were also proud and little disposed to accept as a gift that for which others paid. It was regarded as a disgrace to be known as a recipient of the bounty. It was not that equality which is an essential quality of popular education, but it has been very unjustly criticised. The intent was good; it was the earliest experiment of a poor community and, inadequate as it was, it accomplished much good. But for the tuition collected from those who were able to pay, the schools could not have been maintained at all. Under that system, from 103,000 in 1850 and 25,000 in 1840, there were 138,000 pupils in the schools in 1860, and Tennessee was in a fair way to wipe away the stain of illiteracy. In 1827 a general system was elaborated, amended and re-enacted in 1830. In 1834 the constitutional convention adopted a provision concerning education, which showed the general interest and the demand for something, and yet, by its generality and vagueness, indicated strong opposition or a want of definite ideas on the subject. In 1835 a State superintendent was created.

In 1838 and again in 1839 the act of 1830 was altered, amended and re-enacted; but in 1842 the act creating a State superintendent was repealed and the duties devolved on the treasurer. Down to 1861 the subject was one in which progress was continually opposed by the fossils, and efforts to advance were experimental. The acts relating to the subject of the schools and of the school fund are very numerous, but through them all runs the thread of continual progress, except where the fossil element now and then got the upper hand. Accepting for true the *dicta* of our critics all this was mere labor for nothing, time and money wasted, and this fifty years of continual experiment was thrown away. Careful study will show that it was the process by which society was developing a fairly well-working system, now in operation.

If we grant that other States had better systems they could not be transplanted. Borrowed legal, social and educational systems, "like our new garments, cleave not to their mould." Unless we can change the habits of thought, customs and sentiments of a people, to correspond to those of the community borrowed from, we may gain light from their experience, but not transplant their systems. The process in Tennessee has been logical, systematic development: First, the Legislature chartered private schools, colleges and academies; next came the State colleges and academies of 1806 and the nucleus of a school fund and system, and in 1817 we begin to see evidences of the gradual unfolding of the system.

In 1867 an act was passed which was, in many respects, a decided advance, containing many excellent features, and yet not a very radical change. It had the support of General Eaton, now the able and efficient national superintendent of public instruction, whose labors here were valuable, though brief. That system was repealed, for two good reasons, which the practical statesman will allow to have been good. One was political prejudice, which the practical statesman always takes into account; the other was that the law was not the logical next step. It did not follow directly upon the past. Naturally a reactionary law, repealing the act of 1867, went backward. Leaving out the pauper feature the act of 1870 was substantially that of the code of 1858. It has been amended and our present system is the act of 1858 simplified.

fied, shorn of the pauper feature, the loose district system, gathered into some sort of coherence under a county superintendent, a State superintendent, maintained for general direction, and the whole system made popular education of the most comprehensive kind, needing, doubtless, further systematic development, amendment and provisions for its better working, but no radical change of system.

Another fact confirms the view I have presented, that we have developed a system, suited at each period to our circumstances and stage of process. It is that communities which had made more than the general progress of the State were able, as Nashville and Memphis, to grow thorough popular systems as early as 1852 in Nashville and a little earlier in Memphis. The schools which are the pride of Nashville, early became distinguished for order, discipline, and useful as well as moral training. To them the merchants of the city went for employees as early as 1854. These communities, centers of culture, were already prepared for popular education and possessed a dense enough population to enable them to establish such schools successfully. Thus our years of experiment had already developed true popular education, at a few points, ten years before the war, while they were drawing the rest of the State as rapidly as possible along on the same line. Such men as Alfred Hume, who studied the various systems in the Northern cities, and other live men, established the system and brought here J. F. Pearle, the first superintendent, from the North—directly from Memphis, where he was acting as superintendent—showing, amid all the prejudices of that day, a catholic willingness to receive light from any quarter. For all that the system established here, after full inquiry, was and is our own in every important particular.

Taking into consideration the ultramontane position of Tennessee, remote from the centers of older civilizations, her isolation from the world until wise statesmanship built her great systems of railways in the decade preceding the war, the shifting character of her population during a large part of our history, the sparseness of population, the candid student will admit that Tennessee has made substantial and comparatively rapid progress.

Illiteracy is a fact which must be accepted, a fact which calls for the efforts put forth by our able, earnest and efficient superintendent of public instruction, aided by an enlightened public sentiment. Illiteracy is a lawful inheritance; if Tennessee occupied the third place in the census reports, North Carolina was first and Virginia second in illiteracy.

The statistics show what Tennessee was doing in 1860. With thirty-five colleges in 1860 and 2,932 pupils she was seventh in the Union; with 274 academies and 15,793 pupils she was seventh; with 2,966 common schools and 138,809 pupils she was twelfth. Taking percentage, and not mere numbers, for in that census Tennessee was eleventh in population, her place was much higher. Why then this record of illiteracy? As Tennessee was the mother of States, furnishing population to the Southwest and the South and West, she sent many of her best educated young men to seek their fortunes elsewhere. The ignorant residuum was left in too large proportions on our hands. The "spike team" and the covered wagon of the ignorant classes sometimes sought "the Illinoy" or "the Purchis" or "the Arkansaw," but, in the main, the illiterate emigrant sought the *ultima thule* in the neighboring county or, at the furthest, set his wagon sail and bent his prow to the "fur off Forky Deer." While the State lost many young men of education and adventurous spirits, their children sought our schools, so that we were doing a great work for others. A large number of those who swell the statistics were from the Southern States. It is also true, however, that the schools were full of the children of the State and an interest and a spirit had been aroused which would have speedily expunged the record of illiteracy, but for the renewal of darkness by the war. The war was a very necessary convulsion for the settlement of great questions, but it only wrought injury temporarily so far as education merely in schools is concerned.

In comparison it must be taken into consideration that effective schools and sparse population cannot coexist. The northman, in a country condemned to perpetual sparseness of population, may accept the peripatetic schoolmaster; the American pioneer, knowing that numerical sparseness is a temporary condition, will await more favorable conditions. In 1850, Tennessee

had a population of twenty-two to the square mile; as the negroes were not a part of the scholastic population and were nearly one-third of the population, the rate is reduced to about fifteen. Connecticut had seventy-eight, Massachusetts 187, New York sixty-seven.

Slavery in many ways retarded the progress of education. I do not profess that epimethean late learning which condemns slavery because its time had come. With many concomitant evils and much temporary injury done to society, slavery was a blessing to America and to both races. The evils were temporary and curable, the injury done to America and the human race easily repaired; the good, eternal. It was incompatible with popular education, reducing the scholastic population, substituting a servile class for intelligent labor, degrading labor and destroying the interest capital has in that popular education which creates an intelligent and efficient laboring class. The history of Tennessee also exhibits an expansion of population over a large territory, at a rate more rapid than the process of compacting the population into a close-woven social fabric. The settlement of West Tennessee was not begun until 1822, and down to 1850 all Tennessee was shifting, restless, ever-moving, a condition not favorable to the growth of popular education. Precisely the reverse was the case in New England, where the process of community building and compacting, for many years at least, kept pace with the process of expansion.

What do we need now in Tennessee? Let it be remembered that money will not build a school system. It is but the smallest stone in that fabric, nay it is but the cement. We most need a strongly supporting public sentiment and capable, efficient teachers. A small sum applied to the normal school, established here by the liberality of George Peabody and the wisdom of his trustees, will do more than a large sum applied in any other direction, and, yet, through the shortsight and niggardly policy of your penny-wise legislators, this institution is about to be lost to Tennessee. The same cheap demagoguery has suspended taxes and curtailed the efforts of those who are laboring in the cause of education.

As to higher education, upon which all at least depends, there is needed, first of all, concentration of means and efforts, associa-

tion, singleness of purpose, consistent, however, with the utmost diversity and freedom of thought. We need uniformity of system, so that all State and national, church, public and private, shall be but parts of one great system, whose end is one, however diverse the means of reaching the end. Society, although it comprehends this diversity, is one; the educational system, with all the diversity desirable, must yet be one great system of many parts—not in enforced units, but through harmonious co-operation.

Many institutions have risen and flourished and fallen by the way in the great struggle of localities for the survival of the fittest, and yet the cause of education is tenfold stronger than ever before. There is no need to mourn revered *almae matres* which have perished. Their energies worthily exerted are a part of the present. The labor of the educational pioneers of Tennessee exists to-day in the State University at Knoxville; in Cumberland University of the great popular branch of the Presbyterian Church at Lebanon; in the University of the South, the Episcopal university at Sewanee; in the Baptist University at Jackson; in the Southwestern Presbyterian University at Clarksville; and in the Vanderbilt University at Nashville; the normal school; the city schools; the private female schools; the Fisk, the Tennessee Central and the Baptist college, our three great African schools. To the labors of the pioneers in Davidson Academy and their successors and in the Nashville Female Academy are due the facilities we have in this city to-day. If others have worthily continued their work, they well laid the foundations of this future intellectual and educational center of the South and Southwest.

We need conservative progress, with no step backward and no false step forward. Especially do we need a recognition of the changed conditions surrounding the South—an environment which requires brainful handiwork, the presence of intellect in the field, the mine, the workshop. Blundering, bungling ignorance must learn or die, and if it will not learn, its *euthanasia* is a consummation most devoutly to be wished. The crowds who are seeking the learned professions must learn that the bar, the pulpit and the medical profession are overcrowded. The ambitious need no longer enter there to secure respectability. Labor

is no longer the badge of servility and degradation. I am advising no man to court drudgery, or to hide his talents in a ditch. The rewards of the new times will be found awaiting those who bring intellect and judgment, to conquer drudgery and rise above that labor which all men seek to avoid, in the factory, the machine shop, the mine and on the farm. The highest pecuniary rewards will be found there and there is the field for the noblest humanity. In this arena the chivalry of the coming century will couch the lance. The openings for our young men are the fields which education in practical and applied science will point out. Some of our institutions are engaging in this great work and others are preparing themselves to lead in the movement which is to take the place of the rage for the so-called learned professions, the place behind the counter, the thousand and one agencies, in which men seek to avoid hard labor and only embrace gnawing care. I am saying nothing against these, except that they are overcrowded.

America has won her place in the commerce of the world by skill, in which brains have directed handiwork. The Swiss, the Frank, the Briton have learned from American competition that enlightened judgment counts for more than trained hand, the skill which practice gives the nerves and muscles. Taught by America, the British social philosopher finds a new definition for "technical education." It is not training in *technique*, handicraft, manipulation, the skill a fool may acquire by repetition, but education in the principles of an art, in the science which precedes and underlies an occupation—that training of the mind which makes the laborer equal to any emergency, no longer chained, like the skilled laborer of the ancient guilds, to an inherited routine.

By such brain skill as well as hand skill, taught by the conditions of American life, almost unconsciously acquired, the American has won his place. Europe, already taught by lost prestige, is consciously moving to reach the same end. Our position must be maintained by conscious effort and by understanding, wherein lies our strength. In Tennessee we have all this to acquire; the labor of development is all before us. With our agricultural and mineral resources, wonderful diversity of climate and productions, aptitude for varied industries, and hence for indepen-

dence, no State has greater need for skill directed by judgment, for intellect applied to matter, or more to expect from education in the utilitarian branches. We can no longer afford to cling to the motive power of the backwoodsman, whose sawmill was "run by the force of circumstances." To keep our place in the world and in our own country, to keep abreast of our sister and neighbor States, our young men must be directed toward technical education to acquire the principles of applied science, to fit themselves for the various phases of material development from the lowest to the topmost round.

I am predicting for our State and for the South an era of material development—a movement which will elevate those falsely called the lower pursuits. Our schools and colleges must take the lead and meet the demand. But material development will only be retarded; or attained, like Dead Sea apples turn to ashes on the lips, if the highest religious, moral and intellectual development, go not in hand with material progress. It is intellectual and moral emancipation and development that have conquered matter and given civilization its power over nature; through these that power must be maintained. For all the shallow jesting, systems of philosophy still rule the world from their lofty and almost unapproachable seats.

FROM BARDSTOWN TO WASHINGTON IN 1805.

AN UNSIGNED DIARY.

[The following diary, kept in a seven and a half by four-inch blank book, substantially bound in boards, was presented to the Tennessee Historical Society in 1877 by W. D. Horton. The author is not known, but he was evidently a young man of wealth and culture. He gives the names of his companions, who were of well known Kentucky families. The diary itself contains many interesting incidents of persons and places, and seems to me well worthy of publication.]

April 3, 1805. I set out from Bardstown for Baltimore, in company with James Crutcher, G. W. Whitaker, Adam Anthony, and John Brethett, having four packs of silver in our company. The first tavern we stopped at was Wm. Edwards' in Middlesburg, where we fed our horses and departed from thence and arrived at Mr. Bridgewater's tavern and put up for the night. Mr. Anthony was much surprised by the horses pulling the fence down over his head, but he being small fortunately evaded being hurt, but was much alarmed. Mr. Whitaker was unfortunate enough when gone to bed to let the rats run away with his stocking. He made a long but unsuccessful search for it, and swore vengeance when he should catch them. This circumstance together with Mr. Anthony's served us with fun the balance of the way.

Departed from thence and arrived at Fry's tavern, where we breakfasted and fed our horses. Mr. Anthony and his companion turned out in about half a mile of Frankfort on the Woodford, and we never again came up with him until we arrived at Redstone.

Arrived at Frankfort and put up at Mr. Weiseger's tavern and stayed all night. Departed from Frankfort on Friday morning, and arrived at William Dailey's (a free mulatto), and breakfasted and fed our horses. Was much pleased with our fare. Departed from thence and arrived in Lexington, and put up at Mr. Joshua Willson's, where we stayed all night.

Saturday, April 6. Left Lexington and arrived in Paris (distance, eighteen miles), and breakfasted and fed our horses with Mr. Hughs, with whom we were much pleased. Departed from thence and arrived at Mr. Buckner's tavern, where [we] stayed all night.

Sunday, April 7. Departed thence and [arrived] at Mr. William's, where we breakfasted and fed. Arrived at Mayslick and put up at Bell's and fed. Departed from thence and arrived at Maysville, and put up with James Chambers. At Maysville we had the pleasure of seeing a large vessel of four hundred tons burthen, owned by Messrs. Tarascon, Berthond & Co., and were waiting here for high water in order to go on. The sailors on board were extremely accommodating in showing us the different departments of the vessel, and prevailed on me to go down in their cabin, but so soon as I was down I thought most proper to return, as there were several large ugly fellows below, and one holding a tar bucket and brush in his hand just ready to receive me, and would have begun his operation had it not been that they were waiting for some more of my company. But I soon made my retreat and was up on deck before they scarce knew I was down. At this circumstance the company laughed extremely. The next thing that excited our attention was the sight of a lion, which had just been landed in a boat from Pittsburg. This animal is formed for the lot assigned him—to be king of beasts. He had become so much domesticated as to suffer his keeper to hug him, and was according to appearance as docile as any other animal. Even I myself can boast of having my hand on the fiercest beast in the world. This creature was of the age of about thirteen or fourteen, and was brought from Africa. The keeper informed us that they generally lived to be eighty or ninety years old. The animal's name was Cairo, after a city in Egypt. The keeper struck him in order to make him roar, then "he with eyes darting fury and a countenance distorted" looked tremendous. Yet he would not gratify us with a yell, but growled, the sound of which was indicative of the mighty noise he could make.

Departed Chambers' on Monday, April 8. Crossed in a small boat with many horses, which was disagreeable. Arrived at Robinson's and breakfasted and fed our horses, and had a very

brisk landlady, with whom were much pleased, and Crutcher let his horse escape in order for having an excuse to stay longer. Traveled from thence sixteen miles and fed. Arrived at Hahn's and stayed all night.

Tuesday, April 9. Departed from Hahn's and went sixteen miles and breakfasted at Mr. ———. Arrived at Mr. Accamara-velons and fed our horses. Departed thence and arrived at Chillicothe, much fatigued with riding, and put up with Mr. Nuham, at the sign of the Red Lion, where we were treated with much politeness and fared extremely well, both with respect to ourselves and horses. The dining [room] was spacious and calculated for the reception of much company, and the table supplied with a great variety.

Wednesday, April 10. Was detained a considerable [time] by a Mr. Renick, on whom I had a draft for \$500, but was unfortunate enough not to have it paid. Mr. Renick informed me that I might exchange my silver with General Samuel Finley, the Receiver of Public Monies for lands sold in the State of Ohio, by giving him a premium of one per cent, and accordingly exchanged 2,530 dollars. I also sold my pack horse to him for fifty dollars and paid the premium of my company with the balance that was due over my own (to wit) for Mr. Whitaker \$15.65; for James Crutcher \$8. Departed from Chillicothe in the afternoon and went fifteen miles to Craig's and stayed all night.

Thursday, April 11. Arrived at Luther's (10 m.) and breakfasted and fed our horses. The sign was a large wood plow and harrow hung on a tree. Arrived at Trimble's and fed. Arrived at Lashy's and put [up] for the night. See three girls, but none possessed the charms of Venus. W. C. was extravagant in his praises to them and the old woman; but he reversed it the next morning, for he had a long dispute (or almost a quarrel) about the charge and the money that he paid it with, for he said they had charged him the full price and then about seven-sixths for his compliments. This day's travel was through a diversity of land, and also passed through the town of New Lancaster, in County of Fairfield, on Hocking Creek. This creek is small, but remarkable for its being extremely miry and bad ford.

Friday, April 12. Arrived at Crook's, breakfasted and fed.

Arrived at Pryor's and fed. Arrived at Brown's, where we put up for the night, and will long recollect for the fun we had there. See two pretty girls, with whom the company was much pleased.

Saturday, April 13. Arrived at Spear's, breakfasted and fed. Arrived at H. Beamer's and fed. Arrived at Wherry's (commonly called "Brandy Camp") and stayed all night. Ate supper and went to bed. See Jo. Gordon there.

Sunday, April 14. Went eleven miles to Casaway's and breakfasted and fed. Departed from thence and arrived at St. Clairsville and put up at the sign of the Golden Plough, and fed our horses. St. Clairville is situated on a ridge and the land extremely poor, as is all the country around it. The number of houses appear to be about forty or fifty, and contains about eight or ten taverns. Distance from Wheeling, ten miles. Departed from thence and arrived at Wheeling about dark and put up at Knox's tavern, and left packsaddle and bags there. Wheeling is situated immediately at the bottom of a large mountain, and the buildings are extended up and down the river for some distance. The houses look but indifferently, as they are generally smoked very much with the coal that is used for their fires. A stranger for some distance before he enters the town can very sensibly smell the sulphurous matter that is generated by the burning of the coal. It is a town of great resort, as all those who are destined for the westward pass this place.

Departed from Wheeling on Monday, April 15, and arrived two miles east of Alexandria (a small village), and fed and drank some cider. Departed from thence and arrived in the town of Washington, and put up at John Purviance's and stayed all night. Washington is a handsome inland town, situated on an eminence, and has a number of handsome buildings in it. It was the theater of the insurrection at the time when Congress laid the tax on distilled spirits; and the principal characters who fomented the minds of the people resided in this place. It was the residence of the celebrated Bradford, the ringleader of the band, who, after he had intimation of the United States army marching out to quell the insurgents, took opportunity to flee from his country, and departed for the westward. From the information of Mr. Purviance I learn that General Hamilton had the command of the army at this place, and General Washington did not come any

further than Hagerston. General Hamilton resided at this place for about two weeks and made his residence in the house of Bradford to prevent its being plundered by his soldiers.

April 16. Departed from Washington on Tuesday and arrived at Hawkin's to breakfast—distance thirteen miles. Departed thence and arrived on the banks of the Monongahela. Arrived in Brownsville and put up at Sheldon's at the sign of the black horse. Brownsville is situated immediately on the bank of the Monongahela river, and in a very broken, sidling place, as part of the town is situated on a hill, and the other part directly on the bank of the river, and the communication is cut off measurably by the hill being so steep. The inhabitants appear to be extremely industrious, and are very good manufacturers of whatever they turn their attention to. And they particularly excell in the making of the implements of husbandry: such as scythes, sickles, etc., etc. It is the principal place where all the iron and castings that are brought to the western country are purchased. And glass in great abundance can be had at the Geneva works. Adjoining the town on the opposite side of the creek is a town called Bridgeport, where a number of boats are built and kept for sale.

Departed from Brownsville on Wednesday, April 17, and arrived at Union Town to breakfast, and put [up] at Thos. Collin's, where we were much entertained by Mrs. Collins shewing us a number of elegant drawings, and the polite attention we received from her left an impression that never will be effaced. Union Town is about two miles distant from the foot of the Laurel hill, and is handsomely situated, and the houses are very compact. There is a fire engine and company in this place, and a great number of stores and taverns. The citizens appear to be extremely industrious, as is generally the case with all the Pennsylvanians.

About two miles distant from Union Town we passed through a small town called Woodstock, immediately at the foot of Laurel Mountain. But the very looks of the place indicate the extreme poverty of the people. Traveling thence about a mile and a half we arrived at the top of the mountain. And about fifteen miles further are the Big Meadows, celebrated for their being the encampment of the army of General Braddock and Washington,

and about one mile distant is said to be the place where Braddock was interred, directly in the wagon road and within sight of P. Yarnel's tavern. In April last the road workers when on road discovered some of his bones bare. They thought proper to dig them up, and [they] have since been spread over different parts of the United States. Mr. Yarnel is now in possession of his hip bone.

Arrived two miles further and stopped at Steward's and fed our horses. We proceeded thence to the Big Crossings of the Yonghigheny, where we passed over a large bridge over the same, and immediately on the other side we put up for the night at Smith's tavern.

Thursday, April 18. Departed from Smith's and arrived at Brown's to breakfast, etc. The Maryland and Pennsylvania lines intersect about two miles west of this place by the winding ridge. Departed from thence and arrived at Tombleston's and had our horses fed. Traveled thence until evening and put up at Clinton's at the foot of the Alleghany Mountain, and was much pleased with landlady with whom we had much fun.

Friday, April 19. Departed from thence and arrived in Fort Cumberland to breakfast (distance, eight miles) and put up at T. Thistles, who kept an elegant house, and with whom we fared extremely well. I was much [impressed] with the situation of his lot, as the borders of it was washed by a canal out of Well's Creek, on which there are a number of good mills. The north bank of the Potomac passes immediately by the town, which adds much to the beauty of the place. Immediately on our arriving in town we were assailed by four elegant young ladies, who spoke in a low voice, though loud enough to be heard, and pointing to the one she thought most handsome, said, "I will have that one;" another said, "I will have that one, he's the handsomest," etc., etc. Which circumstance flattered us extremely, but more particularly me, as I thought my fair one more elegant than any. I was much pleased with the situation of Fort Cumberland, and believe it to be a place of considerable business.

Departed from thence and took the new road to Hancock, which is said to be ten miles nearer than the road by Old Town, and arrived at Willson's and fed our horses. Departed from thence and arrived at Sowder's and put up for the night. De-

parted from thence and passed through the village of Hancock, and arrived at Mr. Yate's to breakfast. Distance nine miles. Departed from thence and arrived at the Big Spring and fed our horses.

Departed from thence and passed through the town of Williams Port, which I was much pleased with, as the situation is immediately on the bank of the Potomac, at the confluence of Conococheague, and has a commanding prospect of both rivers. In the vicinity of this town is the Manor of Sam'l Ringold, containing about thirteen thousand acres of first rate land, and the very meanest of which is said to be worth ten pounds an acre. On this valuable property is the most elegant house I ever saw in my life, being remarkably large, and the stone handsomely carved. It is situated on a small eminence, about two hundred yards from the road. This manor is divided into a number of tenements, on all of which are handsome houses. Although this man is blessed with an affluence that might gratify the wishes of the most extravagant, yet so great is his propensity for pleasure, and so little doth he value his honor, that he has not unfrequently been warranted for trivial sums. His character among [the] poorer class of people is so low that few of them are willing to credit him, or if they do, it is with an expectation of suing for the amount of their demand. How unfortunate that this man who possesses a superabundance of wealth is poor in good principles, and cannot be respected. Not far distant from Ringold's mansion we put up for the night, at the house of Mr. Langley, a man remarkable for his corpulency, as is also his wife. They both displayed much facility scolding, and kept the house in one continued uproar with their noise.

Departed from thence, arrived at Smith's, about twelve miles distant, and breakfasted and fed. Departed from thence, and arrived in Frederick Town, and put up with Major Hall, where we had the pleasure of seeing some elegant drawings. Frederick Town is elegantly situated, in a very fertile and level country, and inhabited by very industrious citizens. There is a great number of elegant buildings, among which are five or six large churches of different denominations. The population is nearly as numerous as any inland town in the United States. This place has a superior advantage over most others on account of the

number of excellent mechanics, who consist generally of Germans, and are all versed in the different manufactories. In the suburbs of the town there is an old fort, which was thrown up in time of the Revolution, but is now evacuated. On the south side of the town are the barracks, in which are situated about two hundred troops, destined for to accompany General Wilkinson to upper Louisiana, so soon as he embarks for the government of that place.

Departed from thence, and passed through Carroll's manor, being about four or five miles in length, and is composed of the richest land in Maryland, part of which is bounded by the Potomac. On this elegant property are a great number of orchards, of different kinds of fruit; and on each tenement are handsome houses. This man is considered among the wealthiest in the State of Maryland, as he is the proprietor of another manor equal in value to this, and also owns much property in the city of Baltimore, as well as a considerable of shares in the different banks in the United States.

Crossed at the mouth of Monococy, a handsome navigable stream. Traveled four miles further and arrived at Mr. Whitaker's, where I stayed two nights and one day, and passed my time very agreeably in the company of his three daughters, who possessed charms enough to delight, and make every hour pleasant. Mr. Whitaker and lady treated me with much politeness, and gave me many solicitations to call on them again, should I ever pass near there. Departed from thence on Tuesday, April 23, and arrived at Darnes' Tavern to breakfast, and was much pleased with Mr. and Mrs. Darnes, who entertained me for some time by their agreeable conversation.

Departed from thence and arrived at Montgomery Courthouse, and put up at Robb's tavern and fed. I delivered some letters to Dr. Anderson, which were sent from Kentucky by Mr. Gaither. Was treated with much politeness by doctor and his lady, who made inquiries about their friends in Kentucky. Montgomery Courthouse is situated on a poor pine ridge; and the buildings are indifferent; yet it appears to be a place which has been inhabited for a long time. General Wilkinson, his lady and suit, had just passed through this place about an hour before I arrived there, on his way to upper Louisiana to act in the capacity of Governor of the same.

Departed from thence and arrived in Washington City on Tuesday evening about six o'clock, and put up at Stulle's Hotel. This being the first city that ever I visited, and perhaps will be the greatest that I am destined to see, I felt many sensations of pleasure in being in the capital of the Western world. I was much in want of a companion to accompany me through the city. However, I solaced myself by viewing the elegant buildings that decorated the place. On Wednesday I thought I would enter into a more minute examination of the curiosities, and therefore thought proper to visit the capitol, and sent a servant to bring the key from the keeper, who conducted me through the different departments of the same. Immediately on going in we ascended a winding pair of stairs that led to the top of the house, where I was much amused by the elegant prospect that presented itself to my view, as I could have full view of the city and the Potomac, and could see our vessels of war lying [in] the harbor at the navy yard; all of which impressed on my mind a degree of pleasure that I never before experienced. After satisfying myself in viewing the surrounding prospect, I returned to the inner apartments, where I had the pleasure of viewing the library room, and was much entertained in examining the numerous volumes, which composed the library, and was so fortunate as to be received with much politeness by the librarian, who was good enough to shew me all the different volumes, and also the cost of some of the most valuable of the books. After satisfying myself in examining the library, I retired, accompanied by the librarian, who conducted me into a number of other rooms and also to the Senate Chamber, where I was most gratified; as I thought it the most superb and elegant room I ever saw. The seats were cushioned and lined with green baize, except the two which were made and set apart for the trial of Judge Chase, which were lined with dark purple or black, and which was, perhaps, indicative of the unfortunate situation he was in; and served well to represent the important cause, which was then tried before the Senate, and in which every citizen of the United States appeared interested. On one side of this room was suspended the portrait of Louis XVI, of France, as large as life, and on the other was hung the portrait of his queen, Maria Antoinetta, which served as a sad spectacle [of] the misery resulting from despotic power.

Immediately behind the Speaker's Chair is suspended a small and correct likeness of Washington, which both serve for decoration to the room, and also serve as a silent monitor to the House, where they can view at one time a model to guide their councils; or if any are aspiring after military fame, let them cast their eyes upon it. This room, as well as the library room, was hung with a number of elegant maps and engravings printed on satin, together with a number of portraits of men distinguished for their learning and patriotism. After satisfying by viewing everything curious in the capitol, I retired and took my leave of the polite stranger who was so generous in showing me everything worthy of notice; and I must confess it was with a considerable degree of regret that I was not enabled to requite his kindness. I continued examining that part of the city on Capitol Hill; and particularly the south wing of the capitol (which was then raising) until after dinner, but being much displeased with the accommodation, I removed my quarters near the President's square, where I put up at Rhodes' Hotel, and I was treated with kindness and attention the remainder part of my stay.

Thursday, April 25. This morning I was fortunate enough to make a small acquaintance with an old gentleman from Frederick Town who had business in the different departments of State, and I thought proper [to] accompany him to the several offices where he went. I was much pleased with being [at] the secretary of the treasury's, as there were a great number of clerks, or petty officers tributary to the same, and [I] was enabled to learn practically how business was done there. I was much pleased in viewing a numerous collection of boxes containing the archives of State, and in which were deposited files of papers that had any relation to treasury department.

The day I left the city I made a visit to the navy yard and had the pleasure of seeing a number of vessels which had lately returned from Tripoli in order to be repaired; together with a large collection of cannon and balls.

On the morning of the 25th of April I had the pleasure of seeing Thomas Jefferson, President of the United States. He was sitting on the platform before his house in company with one of his secretaries. His dress was plain black—he had his hair powdered. The yard around his house was a handsome green, but there was a very rough railing.

[Here the diary ends.]

EDITORIAL.

PRESERVE TENNESSEE'S HISTORY.

In this issue appears a very thoughtful and pointed paper by Dr. R. A. Halley concerning the need of preserving the records of Tennessee in some form and under some system that will make them accessible to the student and the investigator. It is commended to the most serious consideration of all members of the General Assembly. The startling truth that only in a single one of the State departments is there a complete set of its own publications should be enough to emphasize and bring to the attention of every Legislator the neglect that has existed too long.

The article does not reflect on any particular official, nor on the officials in general, nor is it so intended. The trouble is due, as is shown, solely to the utter lack of any adequate system for taking care of matters of this sort. The waste of the reports which the General Assembly orders printed at each session is a sad commentary on the prevailing lack of system. If these are intended for no other purpose than sale to the junk dealers their printing is a sad waste. If they are intended to serve the purposes naturally to be inferred, then they should be given into the keeping of some one who has time to attend to them, who has a place to keep them, and who is paid by the State a sufficient sum to warrant him giving his time to collecting what is not now in hand as well as storing and caring for what may come to the State's care through his efforts. Tennessee has waited until much is irretrievably lost; let something be done while there is still so much that may be gathered. Every week these State papers and publications are going to other libraries. Every progressive Northern library is after them. It will be too late ere long; it is too late now for a great deal to be secured without paying fancy prices for it.

The wide-awake and growing States are providing for the publication of the hitherto unprinted records, and three notable Southern examples of this are to be found in North Carolina,

Alabama and Mississippi. It is a debt to the founders of the State, but more a debt due to their posterity, that Tennessee take up this important matter and begin the work already too long delayed. The cost will be but slight. The printing of these records will provide for exchange through the State Librarian and otherwise a supply of books that will enable the State library to show results every year worth more than the entire cost of printing, and besides will place the history of this great commonwealth where it may be studied and made known to the world. The adequate story of what Tennessee's founders did for the nation is yet to be written. The State should furnish the materials, and pave the way to the preservation of her own history by preserving the original records in form and shape to be consulted.

TENNESSEE HISTORICAL SOCIETY.

PRESIDENT:

Judge John M. Lea.

VICE PRESIDENTS:

Col. William A. Henderson, Gen. Gates P. Thruston,
Gov. James D. Porter.

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A. V. Goodpasture.

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TREASURER:

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Joseph S. Carels.

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Membership—W. R. Garrett, chairman; J. A. Cartwright,
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White, John M. Bass.

MEMORANDA OF THE TRANSACTIONS OF THE
SOCIETY.

Tuesday, October 14, 1902.

The Society met pursuant to adjournment. Present, Vice President James D. Porter, presiding, and Vice President Gates P. Thruston, Secretary A. V. Goodpasture, and Treasurer Jos. S. Carels.

The records of the June meeting were read and approved.

The Committee on By-Laws not being ready to report, were given further time until the next meeting.

The members then engaged in a general discussion of miscellaneous matters of interest to the Society.

The list of donations were read.

The Society adjourned until the second Tuesday in November.

Tuesday, November 11, 1902.

The Society met pursuant to adjournment. Present, Vice President James D. Porter, presiding, and Vice President Gates P. Thruston, Secretary A. V. Goodpasture, Corresponding Secretary Robert T. Quarles, and Treasurer Jos. S. Carels.

The records of the October meeting were read and approved.

On motion of Robert T. Quarles, the thanks of the Society were tendered to Robert G. McClung, of Boston, Mass., for the portrait of Judge Robert J. McKinney, presented to the Society, and Robert T. Quarles, Edwin W. Kennedy, and W. J. McMurry were appointed a committee to convey to him a suitable expression of the Society's appreciation of the gift.

On motion of Gates P. Thruston, L. E. Crouch was elected an active member of the Society.

The president appointed a Committee on Addresses as follows: W. J. McMurry, Frederick W. Moore and Theodore Cooley.

The donations to the Society were announced.

After a general discussion of regimental losses during the Civil War, the Society adjourned until the second Tuesday in December.

Tuesday, December 9, 1902.

The Society met pursuant to adjournment. Present, Vice President James D. Porter, presiding, and Vice President Gates P. Thruston, Secretary A. V. Goodpasture, and Treasurer Jos. S. Carels.

On motion of Gates P. Thruston, the treasurer was authorized to purchase an oil portrait of Governor D. W. C. Senter, painted by W. B. Cooper, which has been offered the Society.

The list of donations was read.

The Society then adjourned until the second Tuesday in January, 1903.

The American Historical Magazine.

VOL. VIII.

APRIL, 1903.

No. 2.

A DICTIONARY OF DISTINGUISHED TENNESSEANS.

BY ALBERT V. GOODPASTURE.

[The following list is both incomplete and imperfect. The reader will no doubt discover the omission of many names that ought to have a place in every list of eminent Tennesseans. He cannot help noticing that the dates of birth and death of many well known Tennesseans are not given. I have undertaken to make the information given as accurate as possible. The time and labor in getting up a paper of this character is very great. The amount of research necessary to ascertain a single date is sometimes quite out of proportion to its value. I have given the matter what time I could, and have found it necessary to publish the list thus incomplete, or not at all. As I have thought it might be useful I have ventured to adopt the former course. All who can add other names or supply data missing in the names herein contained will confer a favor by mailing them to the author for use in a subsequent and larger list.]

- Abercrombie, John Joseph (1802-1877), Soldier.
Adams, John (1825-1864), Confederate Brigadier-General.
Adams, Robert H. (1792-1830), Lawyer and Statesman (Miss.).
Adams, Stephen (1804-1857), Statesman (Miss.).
Alexander, Adam R. (1781-1848), Congressman.
Allen, Robert (1778-1844), Soldier and Congressman.
Anderson, Alexander (1794-1869), Senator.
Anderson, Isaac (1780-1857), Clergyman.
Anderson, James Patton (1822-1872), Confederate General.
Anderson, Joseph (1757-1837), Jurist and Statesman.
Anderson, Josiah M., Congressman.
Anderson, Samuel R. (1804-1883), Confederate Brigadier-General.
Anderson, T. C. (1801-1882), Preacher, Educator and Author.
Anderson, W. C. (1853-1902). Congressman.

- Anderson, W. E. (1791-1841), Jurist.
 Andrews, George (1826—), Jurist.
 Armstrong, Frank C., Confederate Brigadier-General.
 Armstrong, Robert (1790-1854), Soldier.
 Arnell, S. M. (1833—), Congressman and Author.
 Arnold, Thos. D. (1798-1870), Congressman.
 Ashe, Jno. B. (—1857), Congressman.
 Atchison, Thos. A. (1818-1900), Physician.
 Atkins, J. D. C. (1825—), Statesman.
 Avery, W. T. (1819-1880), Congressman.
- Bailey, James E. (1822-1885), Lawyer and Senator.
 Baird, A. J. (1824-1884), Preacher and Author.
 Balch, George B. (1821—), Naval Officer.
 Baldwin, S. D. (1818-1866), Preacher and Author.
 Ballentine, J. G., Congressman.
 Barksdale, Wm. (1821-1863), Soldier and Congressman (Miss.).
 Barnard, Edward E. (1857—), Astronomer.
 Barringer, Daniel L. (1788-1852), Congressman (N. C.).
 Barrow, Alexander (1801-1846), Lawyer and Statesman (Miss.).
 Barrow, Washington (1817-1866), Lawyer and Congressman.
 Barton, David (1785-1837), Senator (Mo.).
 Barton, R. M. (1851—), Jurist.
 Baskerville, Wm. M. (1850-1900), Educator and Author.
 Bate, Wm. B. (1826—), Confederate Major-General, Senator and 23rd Governor.
 Battle, Joel A. (1811-1872), Confederate General.
 Baxter, Ed. (1837—), Lawyer.
 Baxter, John (1819-1886), Jurist.
 Bean, James Baxter (—1870), Scientist.
 Bean, Russell (1769-1839), first white child born in Tennessee.
 Bean, William, first white settler west of the Alleghanies.
 Beard, Richard (1799-1880), Preacher, Educator and Author.
 Beard, W. D. (1835—), Jurist, Eighth Chief Justice.
 Bell, John (1797-1869), Statesman and Candidate for President, 1860.

Bell, Montgomery (1779-1855), Pioneer Iron Manufacturer and Benefactor.

Bell, Tyree H. (—1902), Confederate Brigadier-General.

Benton, Thos. H. (1782-1858), Statesman and Author (Mo.).

Blackburn, Gideon (1772-1838), Pioneer preacher and Educator.

Blackie, Geo. S. (1834-1881), Physician and Scholar.

Blackwell, J. W., Congressman.

Blair, John (—1863), Congressman.

Blake, T. C. (1825-1896), Preacher and Author.

Bland, James (1795—), Pioneer (living in 1897, aged 101 years 7 months).

Blount, Wm. (1749-1800), Statesman and Territorial Governor.

Blount, Wm. G. (—1827), Congressman.

Blount, Willie (1767-1835), Third and War Governor, 1812-1815.

Bowen, Jno. H. (1818-1872), Congressman.

Bowling, W. K. (1808-1885), Physician and Writer.

Boyle, Virginia Frazier, Author and Poet.

Brabson, Reese B. (—1863), Congressman.

Braden, J., Educator.

Brents, T. W. (1823—), Preacher and Author.

Bridges, Geo. W. (1821-1873), Congressman.

Briggs, Wm. T. (1828-1894), Physician and Surgeon.

Bright, Jno. M. (1817—), Congressman.

Brown, Aaron V. (1795-1858), Statesman and 11th Governor.

Brown, Foster V. (1854—), Congressman.

Brown, Jno. C. (1829-1889), Soldier and 19th Governor.

Brown, Joseph (1772-1868), Pioneer and Preacher.

Brown, Milton (1804-1883), Congressman.

Brown, Neill S. (1810-1886), Diplomat and 12th Governor.

Brown, Wm. L. (1789-1830), Lawyer and Jurist.

Brownlow, James P. (1845—), Union Brigadier-General.

Brownlow, Walter P. (1851—), Congressman.

Brownlow, Wm. G. (1805-1877), Preacher, Journalist, Author, Senator and 17th Governor.

Bryan, Henry H. (—1835), Congressman.

Buchanan, John, Pioneer.

Buchanan, Jno. P. (1847—), 25th Governor.
Buchanan, Sarah (—1831), Pioneer.
Bugg, R. M., Congressman.
Bunch, Samuel (1786-1849), Congressman.
Burch, Jno. C. (1827-1881), Journalist.
Burnett, Frances Hodgson (1849—), Novelist.
Burnett, Peter H. (1807—), 1st Governor of California.
Burney, S. G. (1814-1893), Preacher, Educator and Author.
Butler, R. R. (1830-1902), Congressman.
Byrne, Thomas Sebastian, Bishop.

Caldwell, A. J. (1842—), Congressman.
Caldwell, Joshua W. (1856—), Lawyer and Author.
Caldwell, R. P. (1821—), Congressman.
Caldwell, Samuel Y., Educator.
Caldwell, W. C. (1849—), Jurist.
Caldwell, W. P. (1832—), Congressman.
Callender, Jno. H. (1832-1896), Physician and Journalist.
Campbell, Alexander W. (1828—), Confederate Brigadier-General.
Campbell, Brookins (1808-1853), Congressman.
Campbell, David (—1812), Jurist.
Campbell, Geo. W. (1768-1848), Jurist, Statesman and Diplomat.
Campbell, Thos. J. (—1850), Congressman.
Campbell, Wm. B. (1807-1867), Soldier, Congressman and 14th Governor.
Cannon, Newton (1781-1841), Congressman and 8th Governor.
Carmack, E. W. (1858—), Journalist and Senator.
Carr, John (1773—), Pioneer and Historian.
Carroll, Wm. (1789-1844), Soldier and 5th Governor.
Carroll, Wm. H. (1820—), Confederate Brigadier General.
Carter, J. C. (1838-1864), Confederate Brigadier-General.
Carter, Samuel P. (1819—), Union Major-General and Rear-Admiral.
Carter, Wm. B. (1791—), Congressman.
Caruthers, Robt. L. (1800-1882), Jurist, Congressman and Educator.

- Caruthers, Abram (1803-1862), Jurist, Educator and Author.
 Cate, Charles T., Attorney-General and Reporter.
 Catron, John (1778-1865), First Chief Justice of Tennessee;
 Associate Justice of United States.
 Champlin, James (1821—), Founder of School for the
 Blind.
 Chase, L. B. (1817-1864), Congressman and Author.
 Cheatham, Benj. F. (1820-1886), Confederate Major General.
 Cheatham, Richard (1799-1845), Congressman.
 Chester, Robert I. (1793-1892), Lawyer.
 Churchwell, Wm. M., Congressman.
 Claiborne, Thomas (1780-1855), Congressman.
 Claiborne, Wm. C. C. (1775-1817), Statesman and 1st Gov-
 ernor of Louisiana.
 Clark, William M. (1826-1895), Physician and Editor.
 Clay, Clement C. (1789-1866), Jurist and Statesman (Ala.).
 Clements, A. J. (1832—), Congressman.
 Cocke, John (1772-1854), Soldier and Congressman.
 Cocke, Wm. (1784-1828), Soldier and Senator.
 Cocke, Wm. M. (—1896), Congressman.
 Cockrill, Mark R. (1788-1872), Farmer.
 Coffee, John (1772-1834), Soldier.
 Coffin, Charles (1775-1821), Educator.
 Coldwell, Thos. H. (1822—), Attorney-General and Re-
 porter.
 Cole, E. W. (1827-1899), Railroad President.
 Coles, Clara, Poet.
 Colyar, Arthur S. (1818—), Lawyer, Editor and Confed-
 erate Congressman.
 Connor, George C. (1834-1894), Scholar and Writer.
 Conway, James S. (1798-1855), 1st Governor of Arkansas.
 Cooke, Grace McGowan, Author.
 Cooke, W. W. (—1816), Jurist.
 Cooper, Edmund (1821—), Lawyer and Congressman.
 Cooper, Henry (1827—), Senator.
 Copper, Jos. A. (1823—), Union Major General.
 Cooper, Washington B., Artist.
 Cooper, William, Artist.
 Cooper, Wm. F. (1820—), Jurist and Author.

- Cossitt, F. R. (1790-1863), Preacher Educator and Author.
Cox, N. N. (1837—), Congressman.
Crabb, Henry (1793-1827), Jurist.
Craighead, Thos. B. (1750-1825), Pioneer Preacher and Educator.
Cravath, E. M. (1833-1900), Educator.
Crawford, Robert (1836—), "Osman Pasha," Commander of Turkish Army in Egypt.
Crisman, E. B. (1830-1899), Preacher and Author.
Crockett, David (1786-1836), Pioneer, Patriot, Congressman and Author.
Crockett, Jno. W. (—1852), Congressman.
Cross, Edward (1798-1887), Jurist and Congressman (Ark.).
Crozier, John H., Congressman.
Crutchfield, Wm. (1826—), Congressman.
Cullom, Alvin (—1877), Congressman.
Cullom, Wm. (1810-1896), Congressman.
Currin, David M. (1819-1864), Confederate Congressman.
Currey, R. O. (1816-1865), Physician and Geologist.
- Dabney, Charles W. (1855—), Educator.
Dake, J. P. (1827-1895), Physician.
Dashiell, John S. (1807—), Steamboat Captain.
Davidson, H. B., Confederate Brigadier General.
Davis, Reuben (1813-1873), Jurist and Soldier (Miss.).
Davis, Sam (1842-1863), Patriot.
Deaderick, James W. (1812-1890), 3rd Chief Justice.
Deshea, Robert (—1849), Congressman.
DeWitt, M. B. (1835—), Preacher and Author.
DeWitt, Wm. H. (1827—), Confederate Congressman.
Dibrell, G. G. (1822-1888), Confederate Brigadier General and Congressman.
Dickinson, David W. (—1845), Congressman.
Dickson, Wm. (—1816), Congressman.
Doak, Samuel (1749-1830), Pioneer Preacher and Educator.
Dodd, Thos. J. (1837—), Preacher and Educator.
Donelson, Andrew J. (1799-1871), Diplomat and Candidate for Vice President, 1856.
Donelson, John (1718-1785), Pioneer.

Donelson, Daniel S. (1801-1863), Confederate Major General.

Donnell, Robert (1811-1855), Preacher and Author.

Dromgoole, Will Allen, Author and Poet.

Dunlap, Wm. C. (1798-1872), Congressman.

Durry, George (1817-1895), Artist.

Earle, R. E. W. (—1837), Artist.

East, E. H. (1830—), Lawyer.

Eastman, E. G. (1813-1859), Journalist.

Eaton, John H. (1790-1856), Statesman, Diplomat and Author.

Edgar, Jno. T. 1792-1860), Preacher and Editor.

Ellett, Henry T. (1812-1887), Lawyer.

Elliott, C. D. (1810-1899), Educator.

Emmerson, Thomas, Jurist.

Enloe, B. A. (1848—), Congressman and Journalist.

Etheridge, Emerson (1819-1902), Congressman.

Evans, H. C. (1843—), Congressman.

Eve, Paul F. (1806-1877), Physician and Writer.

Ewell, Richard S. (1817-1872), Confederate General.

Ewing, Andrew (1813-1864), Lawyer and Congressman.

Ewing, Edwin H. (1809-1902), Lawyer and Congressman.

Fanning, Tolbert (1810-1874), Preacher, Educator and Journalist.

Farragut, D. G. (1801-1870), Admiral.

Fitzgerald, O. P. (1829—), Bishop, Journalist and Author

Fitzgerald, Wm. T., Congressman.

Fitzpatrick, Morgan C., Congressman.

Folkes, W. C. (1845-1890), Jurist.

Fogg, Francis B. (1795-1880), Lawyer.

Fogg, Mrs. Francis B., Author.

Foote, Henry S. (1800-1880), Statesman and Author.

Forrest, N. B. (1821-1877), Confederate Lieutenant General.

Forrester, Jno. B. (—1845), Congressman.

Foster, Ephraim H. (1794-1854), Lawyer and Statesman.

Foster, Stephen (1798-1835), Educator.

Foster, Wilbur Fisk (1834—), Major of Engineers, C. S. A.

Fowler, Joseph S. (1822—), Senator.

Frazer, Jno. W., Confederate Brigadier General.

Frazier, James B., 28th Governor.

Freeman, Thos. J. (1827-1891), Jurist.

French, L. Virginia (1830—), Poet.

Fulton, Wm. S (1795-1844), Senator (Ark.).

Gailor, T. F. (1856—), Bishop and Educator.

Gaines, Edmund P. (1777-1849), Soldier.

Gaines, Jno. W. (1860—), Congressman.

Galloway, M. C. (—1898), Editor.

Gardenhire, E. L. (1815-1899), Confederate Congressman.

Garland, A. H. (1832—), Lawyer and Statesman (Ark.).

Garland, Bettie, Poet.

Garland, L. C. (1810-1895), Educator and Author.

Garrett, A. E. (1830—), Congressman.

Garrett, Wm. R. (1839—), Educator and Author.

Gattinger, A. (1812—), Physician and Botanist.

Gentry, Meredith P. (1809-1866), Orator and Statesman.

Gibson, Henry R. (1837—), Congressman and Author.

Gilchrist, Mrs. Annie Somers, Poet and Novelist.

Gillem, Alvin C. (1830-1875), Union Major General.

Gilmer, Mrs. Elizabeth M., "Dorothea Dix," Author.

Glass, P. T. (1824—), Congressman.

Golladay, E. I. (1831—), Congressman.

Goodlett, Adam G. (1782-1848), Physician and Author.

Goodpasture, Jefferson Dillard (1824-1896), Lawyer.

Gordon, Geo. W. (1836—), Confederate Brigadier General.

Graves, Adelia C. (1821—), Educator and Author.

Graves, James R. (1820—), Preacher, Journalist and Author.

Green, Alexander L. P. (1806-1874), Preacher and Author.

Green, Nathan (1792-1866), Jurist and Educator.

Green, Nathan (1827—), Educator and Author.

Grundy, Felix (1777-1840), Orator, Jurist and Statesman.

Guild, Jo C. (1802-1883), Jurist and Author.

Gwin, Wm. M. (1805-1885), Physician and Statesman (Cal.).

- Hale, Will T., Author and Poet.
 Hall, Allen A. (—1867), Journalist and Diplomat.
 Hall, Wm. (1796-1874), Soldier, Congressman and 7th Governor.
 Halley, R. A. (1853—), Journalist and Writer.
 Hankins, Cornelius, Artist.
 Harding, Wm. G. (1808-1886), Farmer.
 Hargrove, Robt. K. (1829—), Bishop and Educator.
 Harris, Geo. W. (1814-1869), Humorist and Author.
 Harris, Isham G. (1818-1898), Statesman, and 16th and War Governor, 1861-5.
 Harris, J. George (1809-1891), Journalist and Naval Officer.
 Harris, Thomas K., Congressman.
 Harris, Wm. R. (1803-1858), Jurist.
 Harrison, H. H. (1829-1885), Congressman and Jurist.
 Haskell, Wm. T. (1818-1859), Orator and Congressman.
 Hatton, Robert (1827-1862), Congressman and Confederate Brigadier-General.
 Hawkins, Alvin (1821—), Jurist and 22nd Governor.
 Hawkins, Isaac R. (1818—), Congressman.
 Haynes, Landon Carter (1816-1875), Orator and Confederate States Senator.
 Haywood, John (1762-1826), Jurist and Author.
 Head, Jno. W. (1821-1874), Attorney-General and Reporter.
 Heiskell, Joseph B. (1823—), Attorney-General and Reporter and Confederate Congressman.
 Heiss, Henry, Editor.
 Henderson, Bennett H., Congressman.
 Henderson, Wm. A. (1836—), Lawyer.
 Henry, Gustavus A. (1804-1880), Orator and Confederate Senator.
 Hill, Benjamin J., Confederate Brigadier General.
 Hill, H. L. W. (1810—), Congressman.
 Hogg, Samuel (1783-1842), Physician and Congressman.
 Holloway, Laura Carter (1848—), Author.
 Hoss, E. E. (1849—), Bishop and Editor.
 Houk, Jno. C. (1860—), Congressman.
 Houk, L. C. (1836-1891), Congressman.
 House, Jno. F. (1827—), Congressman and Author.

Houston, Geo. S. (1811-1879), Statesman (Ala.).

Houston, Sam (1793-1863), 6th Governor of Tennessee and 1st President of Texas.

Howard, M. H., Benefactor.

Howell, Robert Boyt C. (1801-1868), Preacher and Author.

Hume, Wm. (1772-1833), Educator and Preacher.

Humes, Thos. W. (1815—), Preacher, Educator and Author.

Humes, W. Y. C. (1830-1883), Confederate Major-General.

Humphreys, Parry W. (—1839), Jurist and Congressman.

Humphreys, West H. (1805-1882), Attorney-General, Reporter and Jurist.

Huntsman, Adam (1786—), Congressman.

Inge, Wm. M. (—1842), Congressman.

Inman, Jno. H. (1844-1896), Financier (N. Y.).

Isaacs, Jacob C., Congressman.

Jackson, Andrew (1767-1845), Patriot, Soldier, Statesman and 7th President.

Jackson, A. E. (1807-1889), Confederate Brigadier General.

Jackson, Howell E. (1832-1894), Associate Justice United States Supreme Court.

Jackson, Rachel (1767-1828), wife of President Jackson.

Jackson, W. H. (1835-1903), Confederate Brigadier General.

Jarnagin, Spencer (1792-1852), Lawyer and Senator.

Johnson, Andrew (1808-1875), 15th Governor and 17th President.

Johnson, Bushrod R. (1817-1880), Confederate Major General and Educator.

Johnson, Cave (1793-1866), Statesman.

Johnson, Henry (1783-1861), Senator (La.).

Jones, Francis, Congressman.

Jones, Geo. W. (1806-1884), Statesman and Diplomat.

Jones, Ira P. (1829-1897), Journalist.

Jones, James C. (1809-1859), Statesman and 10th Governor.

Jones, Thomas M. (1816—), Confederate Congressman.

Jones, W. P. (1819-1897), Educator and Alienist.

Joynes, Edward S. (1834—), Educator and Author.

Judson, E. Z. C. (1822-1866), Journalist and Author.

Keating, Jno. M. (1830), Journalist and Author.
 Keeble, E. A. (1807-1868), Confederate Congressman.
 Kennedy, D. N. (1820—), Banker.
 Kennedy, Sara Beaumont, Author.
 Kennedy, Walker, Author.
 Ketchum, Mrs. Annie Chambers (1824—), Poet.
 Key, David M. (1824—), Jurist and Statesman.
 Killebrew, J. B. (1831—), Author.
 Kirkland, J. H. (1859), Educator.

Lea, Benj. J. (1833-1894), 6th Chief Justice Supreme Court.
 Lea, John M. (1818—), Jurist.
 Lea, Luke (1782-1851), Soldier and Congressman.
 Lea, Pryor (1794—), Congressman.
 Leftwich, John W. (1827-1870), Congressman.
 Lewis, Barbour (1824—), Congressman.
 Lewis, Wm. B. (1784-1866), Statesman.
 Lindsley, J. Berrien (1822-1898), Educator and Author.
 Lindsley, Nathaniel L. (1816-1868), Educator and Scholar.
 Lindsley, Philip (1786-1855), Educator and Author.
 Link, S. A. (1848—), Educator and Author.
 Lipscomb, David (1831—), Preacher, Journalist and Author.
 Lipscomb, Thomas (1808-1891), Physician.
 Lofton, G. A. (1839—), Preacher and Author.
 Lurton, H. H. (1844—), 5th Chief Justice Supreme Court.
 Lynde, Francis, Author.

McAdoo, Mary F. Floyd (1832—), Author.
 McAdoo, Wm. G. (1820—), Jurist and Educator.
 McAdow, Samuel (1760-1844), Preacher.
 McAlister, Wm. K. (1850—), Jurist.
 McAnally, D. R. (1810—), Preacher and Author.
 McCall, John E. (1859—), Congressman.
 McCallum, James (1806—), Confederate Congressman.
 McClain, Andrew, Jurist.
 McClellan, Abram (1788—), Congressman.
 Mack, Robert (1772-1865), Jurist and Poet.
 McConnell, Felix G. (1810-1846), Congressman (Ala.).

- McComb, Wm. (1832—), Confederate Brigadier General.
 McCown, J. P. (1820-1879), Confederate Major General.
 McDearman, J. C. (1844—), Congressman.
 McDonald, B. W. (1827-1889), Preacher, Educator and Author.
 McFarland, Robert (1832-1884), Jurist.
 McFarland, Wm. (1821—), Congressman.
 McFerrin, Jno. B. (1807-1877), Preacher and Author.
 McKendree, William (1757-1835), Bishop.
 McKinney, Robt. J. (1803-1875), Jurist.
 McMillin, Benton (1845—), Congressman and 27th Governor.
 McMinn, Joseph (—1824), 4th Governor.
 McNairy, John (1762-1837), Jurist.
 Maddin, Thomas, Preacher and Author.
 Maddin, Thomas L., Physician.
 McTyeire, H. N. (1824-1889), Bishop and Author.
 McGowan, Alice, Author.
 Maney, George (1826—), Confederate Brigadier General.
 Marable, John Hartwell (1786-1844), Physician and Congressman.
 Marks, Albert S. (1836-1891), 21st Governor.
 Marr, Geo. W. L. (1779—), Congressman.
 Marshall, John (1803-1863), Lawyer.
 Martin, Barclay, Congressman.
 Martin, Thomas (1799-1870), Benefactor.
 Mathes, J. Harvey, Editor and Author.
 Maury, A. P. (1761-1848), Journalist and Congressman.
 Maury, M. F. (1806-1873), Hydrographer.
 Maynard, Horace (1814-1882), Statesman.
 Meigs, Return J. (1801-1891), Attorney-General, Reporter and Author.
 Meeks, John Henderson (1814-1898), West Tennessee Pioneer.
 Menees, Thomas (1823—), Physician and Confederate Congressman.
 Meriwether, Lee (1862—), Author.
 Miller, Pleasant M. (—1850), Congressman and Jurist.
 Milligan, Samuel (—1874), Jurist.

Mitchell, James C. (1790-1843), Jurist and Congressman.

Moon, John A. (1855—), Congressman.

Moore, Wm. R. (1830—), Congressman and Poet.

Morgan, Wm. H. (1818-1902), Dental Surgeon.

Morgan, S. D. (1798-1880), Merchant.

Mullins, J. (1807—), Congressman.

Murfree, Fannie D., Novelist.

Murfree, Mary N., Novelist.

Murray, Jno. P. (1830-1895), Confederate Congressman.

Neal, John R., Congressman.

Neil, M. M. (1849—), Jurist.

Nelson, Anson (1821-1892), Author.

Nelson, David (1793-1844), Preacher and Author.

Nelson, Thos. A. R. (1812-1873), Jurist, Congressman and Author.

Nicholson, A. O. P. (1808-1876), Journalist, Statesman and 2nd Chief Justice.

Nunn, David A. (1832—), Congressman.

Otey, Jas. H. (1800-1863), Bishop and Educator.

Overton, John (1766-1833), Jurist.

Owen, Richard (1810—), Soldier, Educator and Author.

Paine, Robert (1799-1882), Bishop.

Palmer, J. B. (1825-1890), Confederate Brigadier General.

Paschall, Edwin (1799-1869), Educator and Historian.

Patterson, David T. (1819—), Jurist and Senator.

Patterson, Josiah (1837—), Congressman.

Patterson, R. M., Congressman.

Payne, H. B., "Ariel," Author.

Payne, Robert (1799-1882), Bishop and Author.

Peck, Jacob (1779-1869), Jurist.

Pettibone, A. H. (1835—), Congressman.

Peyton, Bailie (1803-1878), Lawyer, Congressman and Diplomat.

Peyton, J. H. (1813-1845), Congressman.

Phelan, James (1856-1891), Congressman and Historian.

Phelan, John D. (1809-1879), Jurist and Educator.

- Pickle, Geo. W. (1845—), Attorney-General and Reporter.
Pierce, Rice A. (1848—), Congressman.
Pike, Albert (1809-1891), Soldier, Lawyer and Author.
Pillow, Gideon J. (1806-1878), Soldier and Lawyer.
Polk, James K. (1795-1845), 9th Governor and 11th President.
Polk, Leonidas (1806-1864), Bishop and Confederate General.
Polk, Lucius E., Confederate Brigadier General.
Polk, Sarah C. (1803-1891), wife of President Polk.
Polk, Wm. H. (1815-1862), Congressman.
Pope, Mary C., Poet.
Porter, Alexander (1786-1844), Senator (La.).
Porter, James D. (1828—), Jurist, Diplomat and 20th Governor.
Porter, Robt. M. (1818-1856), Physician and Educator.
Powell, Samuel, Jurist and Congressman.
Price, George W. F., Educator.
Prosser, W. F. (1834—), Congressman.
Putnam, A. W. (1799-1869), Historian.

Quarles, James M. (1823-1900), Congressman and Jurist.
Quarles, W. A. (1825-1895), Lawyer and Confederate Brigadier General.
Quintard, Charles T. (1824-1898), Bishop and Educator.

Rains, James E. (1833-1862), Lawyer and Confederate Brigadier-General.
Rains, John (1750-1821), Pioneer.
Ramsey, J. G. M. (1796-1884), Historian and Physician.
Randolph, J. H., Congressman.
Read, Opie P. (1853—), Novelist.
Ready, Charles (1802-1878), Congressman.
Reagan, Jno. H. (1818—), Senator (Texas).
Reese, Wm. B. (1793-1859), Jurist and Educator.
Reynolds, James B., Congressman.
Rhea, John (1753-1832), Congressman.
Rhea, Samuel A. (1827-1867), Missionary to Persia.
Richardson, James D. (1843—), Congressman and Author.

- Riddle, Haywood Y., Congressman.
 Rivers, Thomas, Congressman.
 Roane, Archibald (1760-1818), Jurist and 2nd Governor.
 Roberts, Albert, Editor.
 Robertson, Charlotte Reaves (1751-1843), Pioneer.
 Robertson, Duncan (1770-1833), Philanthropist.
 Robertson, Felix (1781-1856), Physician, first male child born in Nashville.
 Robertson, James (1742-1814), Father of Tennessee.
 Roseborough, Viola, Author.
 Ross, Frederick A. (1796—), Preacher and Author.
 Ross, Reuben (1776), Preacher.
 Rule, William, Editor.
- Safford, James M. (1822—), Geologist and Author.
 Sanford, James T., Congressman.
 Sappington, John (1776-1856), Physician and Author.
 Savage, Jno. H. (1815—), Lawyer, Soldier and Congressman.
 Scott, W. A. (1813-1885), Preacher, Educator and Author.
 Sears, A. D. (1804—), Preacher.
 Sebastian, W. K. (1812-1864), Senator, (Ark.)
 Senter, D. W. C. (1832-1898), 18th Governor.
 Senter, W. T. (1802-1847), Preacher and Congressman.
 Sevier, Ambrose H. (1801-1848), Lawyer and Statesman (Ark.).
 Sevier, John (1745-1815), Pioneer, Soldier and 1st Governor.
 Shackelford, J. O., Jurist.
 Shearer, J. B. (1834—), Preacher, Educator and Author.
 Shelby, Isaac (1750-1826), Pioneer, Soldier and 1st Governor of Kentucky.
 Shields, E. J. (—1846), Congressman.
 Shields, John K., Jurist.
 Shipp, Albert M. (1819—), Educator and Author.
 Simonton, C. B. (1838—), Congressman.
 Sims, Thetis W. (1852—), Congressman.
 Smith, Daniel (1740-1818), Pioneer, Surveyor and Senator.
 Smith, Henry G. (1807-1878), Jurist.
 Smith, E. Kirby (1824-1893), Educator and Soldier.

- Smith, Preston (1823-1863), Confederate Brigadier General.
 Smith, Samuel A. (1822—), Congressman.
 Smith, Thomas B. (1838—), Confederate Brigadier General.
- Smith, Wm. J. (1823—), Soldier and Congressman.
 Sneed, Jno. L. T. (1820—), Jurist.
 Sneed, Wm. H. (1812-1869), Congressman.
 Snodgrass, C. E., Congressman.
 Snodgrass, D. L. (1851—), 7th Chief Justice of Supreme Court.
- Snodgrass, H. C. (1848—), Congressman.
 Soule, Joshua (1781-1867), Bishop.
 Spaulding, George (1834—), Union Brigadier General.
 Spears, James G. (1817—), Union Brigadier General.
 Standifer, James (—1836), Congressman.
 Stanton, F. P. (1814—), Lawyer and Congressman.
 Stearns, Eben S. (1821-1887), Educator.
 Stevenson, V. K. (1812-1884), Railroad President.
 Stewart, Alexander P. (1821—), Educator and Confederate Lieutenant General.
- Stokes, Jordan (1817—), Lawyer.
 Stokes, W. B. (1814—), Congressman.
 Stout, Samuel H. (1822—), Physician and Author.
 Strahl, O. F. (—1864), Confederate Brigadier General.
 Strickland, Wm. (1787-1854), Architect.
 Summers, T. O. (1812-1882), Preacher and Author.
 Summers, T. O., Jr. (—1899), Scientist and Physician.
 Swan, Wm. G., Attorney General and Reporter.
- Tannehill, Wilkins (1787-1858), Journalist and Author.
 Tatum, Howell, Jurist.
 Taylor, A. A. (1849—), Congressman.
 Taylor, Jno. M. (1838—), Congressman and Jurist.
 Taylor, Nathaniel G. (1819-1887), Preacher and Congressman.
- Taylor, Robt. L. (1850—), 24th Governor.
 Taylor, Zach. (1849—), Congressman.
 Teasdale, Thos. C. (1808—), Preacher and Author.
 Thomas, Dorsey B. (1823-1897), Congressman.

Thomas, Isaac, Congressman.

Thomas, James H. (1808—), Congressman.

Thomas, John W., Railroad President and President of Tennessee Centennial Exposition.

Thomas, R. W. (1808-1876), Journalist and Author.

Thompson, Jacob (1810-1885), Statesman.

Thornburg, Jacob M. (1837-1890), Congressman.

Thornton, G. B. (1835—), Physician and Writer.

Thruston, Gates P. (1835—), Soldier and Author.

Tillman, Lewis (1816-1886), Congressman.

Tipton, John (1785-1839), Soldier and Senator (Ind.).

Totten, A. W. O. (—1867), Jurist.

Trimble, John (1812-1884), Congressman.

Troost, Gerard (1776-1850), Geologist and Author.

Trousdale, Leon (1823-1898), Educator and Editor.

Trousdale, Wm. (1790-1872), Soldier, Diplomat and 13th Governor.

Turley, Thomas B., Senator.

Turley, Wm. B. (1800-1851), Jurist.

Turney, Hopkins L. (1797-1857), Senator.

Turney, Peter (1827—), 4th Chief Justice and 26th Governor.

Tyler, C. W., Jurist and Author.

Tyler, Robert C. (—1864), Confederate Brigadier General.

Vaughn, A. J. (1830—), Confederate Brigadier General.

Vaughn, John C. (1824-1875), Confederate Brigadier General.

Waddell, John N. (1812-1894), Preacher, Educator and Author.

Walker, Lucius M., Confederate Brigadier General.

Walker, William (1824-1860), Soldier, Author and Adventurer.

Ward, Wm. E. (1829-1888), Preacher and Educator.

Warner, James C. (1830—), Iron Manufacturer.

Warner, Richard (1835—), Congressman.

Washington, J. E. (1851—), Congressman.

Watkins, A. G. (1818—), Congressman.

Watkins, Samuel (1794-1880), Benefactor.

Watson, Samuel (1813—), Preacher, Author and Editor.

Watterson, Harvey M. (1811—), Journalist and Congressman.

Watterson, Henry (1840—), Journalist, Congressman and Author.

Weakley, Robert (1764-1845), Congressman.

Weaver, Dempsey (1815-1880), Banker.

Welker, A. G., Confederate Congressman.

Wharton, Jesse (1760-1833), Lawyer and Senator.

White, Alexander (1816—), Congressman, (Ala.).

White, Edward D. (—1847), Governor of Louisiana.

White, Hugh L. (1773-1840), Jurist and Statesman and Candidate for President, 1836.

White, Jas. (1737-1815), 1st Territorial Delegate in Congress.

Whiteside, Jenkin (—1822), Senator.

Whitsett, James (1771-1849), Preacher.

Whitthorne, Washington C. (1825-1891), Lawyer and Statesman.

Whyte, Robert (1767-1844), Jurist.

Wilcox, Cadmus M. (1826-1890), Confederate Major General and Author.

Wilkes, Jno. S. (1841—), Jurist.

Williams, Christopher W., Congressman.

Williams, James, Diplomat and Author.

Williams, John (1778-1837), Senator.

Williams, Joseph L. (1800—), Congressman.

Williams, Martha McCullough, Author.

Williams, Thomas L., Jurist.

Wilson, S. F. (1845—), Jurist.

Winston, Charles K., Physician.

Winchester, James (1752-1826), Soldier.

Woolwine, Samuel S., Educator.

Wright, Archibald (1809-1884), Jurist.

Wright, John V. (1828—), Lawyer and Congressman.

Wright, Luke E., Vice Governor of the Philippines.

Wright, Marcus J. (1831—), Soldier and Author.

Yandell, Lunsford P. (1805-1878), Physician and Educator.

Yell, Archibald (1797-1847), Jurist, Statesman and Soldier, (Ark.).

Yerger, Geo. S. (1801-1860), Attorney General and Reporter.

Young, H. Casey (1832—), Congressman.

Young, R. A. (1824-1902), Preacher and Author.

Zollicoffer, Felix K. (1812-1862), Journalist, Congressman and Soldier.

A REBEL NEWSPAPER'S WAR STORY: BEING A
NARRATIVE OF THE WAR HISTORY OF THE
MEMPHIS APPEAL.

BY R. A. HALLEY.

Journalism in Tennessee has presented a great many interesting phases, but without question the most strange and remarkable phase of all is that to be gleaned from half a dozen thin, travel-worn volumes that hold between their covers the war files and the war history of the *Memphis Appeal*. They tell the story of the days when it still kept the name of the *Memphis Appeal*, though printed in Mississippi, Alabama or Georgia, while casting its lot with the South to the extent of dwelling wherever the chances and changes, the fortunes or misfortunes of war demanded, in order to remain with the people whose cause it had warmly espoused from long before the inauguration of active hostilities. These files, therefore, contain the inner history of the war to an extent unreached by any other paper published in the South. The history of the *Appeal* is conspicuously unique. It was the soldier's special organ, and spoke almost with the voice of authority for the Army of Tennessee, whose fortunes it followed and with which it was identified from its organization to its collapse in December, 1864. With an enterprise and pluck that met obstacles only to overcome them, its proprietors moved their types, presses, engines and boilers from place to place, and whether staying for a month or for a year were prompt in issuing a daily paper that was edited with skill and ability and was one of the greatest of the useful agencies in the life of the Confederacy. Its correspondents were found with every army in every State and its proprietors expended money freely to obtain the news from beyond the Confederate lines. It was a tower of strength to the Southern people and was indissolubly linked with their long struggle. The passing events are interwoven with the story of exile—though exile among

friends—and altogether it makes a story unsurpassed if not unequalled, in the annals of journalism.

On the morning of Friday, June 6, 1862, while the gunboat fight was raging hotly in front of the city, *The Memphis Appeal*, being what was termed a "rebel sheet," left Memphis and went to the pleasant little town of Grenada, Miss. The press and other machinery, its two new "dresses" of type and its working force accompanied it, and on the following Monday, June 9, 1862, *The Memphis Appeal* was once more issued, this time as an afternoon paper, bearing the Grenada date line. This issue contains a full account of the evacuation of Corinth some ten days previously, and also of the fall of Memphis and the destruction of the Confederate fleet.

Exchanges are requested to direct their papers to Grenada for the future, and in an address "To Our Readers," the editor says: "The occupation of Memphis by the Federal forces has convinced us of the necessity of removing our office of publication to Grenada, Miss. In taking this step our principal motive has been to continue in a position wherein we may be able to render official service to the cause we advocate, hereafter as heretofore, and in accomplishing this, should we succeed, we will find our greatest reward. Our fate is indissolubly connected with that of the Confederacy. Our political action in the past is well understood. We cannot desert the one nor change as to the other. Our political ideas were not formed to be cast aside under any exigency that can possibly happen; and so long as two or three states are gathered together in the name of the Confederate States, so long will we be found advocating, as zealously as ever, a continued resistance to the tyranny which a haughty foe are endeavoring to establish over us. The *Appeal* will not swerve from its course, come what will, no matter how great the sacrifices we may find it necessary to make. We have an abiding faith in the success of the South."

And if this faith ever weakened, or doubt ever entered, not a line was there ever in the paper to show it. Through all the long struggle, with its hardships and frequent flights, with all the attendant vicissitudes and calamities, the editorial utterances breathed a hopeful spirit that the worst disasters of the war never once chilled.

It so happened that about this very time another victory of General Stonewall Jackson illustrated the feeling that animated the *Appeal* all through the war, in defeat as in triumph. "The star of the victorious Jackson," it says, "is once more in the ascendant, and he is once more pushing forward after an utterly defeated and flying foe. General Jackson's motto is the correct one—fight the enemy wherever you can find him, and if he will not offer you battle, go after him and compel him to fight. Give us a little more of these tactics and the war will soon assume a much more favorable aspect. The Federals can be forced to abandon our states and cities, our people can return to their homes in peace, and the Confederacy take her place among the nations of the earth."

In speaking of the *Appeal* during the three years that followed its departure from Memphis, it is not intended to write the history of the war, but only to sketch the scenes amid which the paper lived, by which it was necessarily affected. Its proprietors foresaw that they could not publish their paper in Memphis, and how truly they read the signs of the times was shown early after the surrender of the city, when papers much more guarded in expressing their opinions were suspended, censured and forced into discontinuance. Press censors were appointed for the papers that remained, and even then articles appeared that caused the publishers trouble. A bogus report brought in of the capture of Cincinnati by the Confederate troops, brought down the wrath of the authorities on two papers, and caused their suspension for several days.

AFFAIRS IN MEMPHIS.

Colonel M. C. Gallaway, postmaster under the Confederacy, went to Grenada with many Memphians who left at the time of the capture, and acted as postmaster for the Southern people, handling and properly looking after the mail, particularly that directed to Memphis people. In the *Appeal* of the early days in Grenada, a specialty was made of news from Memphis for the benefit of many hundreds of exiled citizens of the Bluff City. The *Appeal* of June 13 chronicles the fact that stores were beginning to open again and business was being gradually resumed

in Memphis. The price of the *Appeal* was reduced one-half for all Confederate soldiers.

In reference to the approach of Federal troops to Holly Springs, the *Appeal* of June 19 says, that "they should not be permitted to make any further approaches. . . . Let them at every advance they make, meet with a deadly volley from every thicket. . . . Every rifle and shotgun in the country should be brought into requisition, and the Federal soldiery should be taught that every step they make further South is made with hazard to themselves. Even in the absence of any army, it is within the power of the citizens of the country, by a judicious and well organized system of ambuscades and guerrilla warfare, to harass, terrify and hold the enemy at bay."

This, but to show the spirit of the times. Needless to recall how the advice was followed. Such was the devotion of the people to the Southern cause that planters along the river put the torch to their own cotton, sustaining the loss rather than sell to the invader. Apropos, the *Appeal* remarks: "A people determined to be free will submit to any sacrifice and cannot be conquered."

A SPECIMEN YANKEE CAPTURED.

June 20 this fact is chronicled: "A Yankee soldier, who was captured by some citizens while he was picketing below Memphis, reached the city last evening. He gives his name as George Smith, of Captain Stuber's company, eleventh Illinois, and says he was enlisted at Peoria. If he is a fair specimen of the Federal army at Memphis, none of them can be said to occupy a very high position in the scale of animal creation." George Smith's subsequent history does not appear. Doubtless he or his widow draws a pension now.

The fight had begun at Vicksburg, the enemy's vessels opening fire "at a safe distance" on the 20th of June. McClellan had been brought to a stand before Richmond, and the *Appeal* believes that "the fortunes of war have turned in our favor, and we will finally achieve our independence."

The mention of Richmond recalls the fact that the special correspondent of the *Appeal* at Richmond during the war was perhaps the brightest of the war correspondents. His letters con-

tinue all through the fateful period of the war; being even yet interesting pictures of war days in Virginia, they must have been read when fresh from the press with the keenest interest. He wrote under the name of "Dixie," and thousands of old Confederates remember his brilliant letters.

The battle around Vicksburg was recognized as the determined beginning of the contest for the undisturbed possession of the Mississippi; across the river the people of Arkansas were pursuing the guerrilla warfare above advocated. Stonewall Jackson defeated McClellan before Richmond; the outlook when June closes is bright.

July opens with McClellan in full retreat, and the shells still flying over Vicksburg. "The Success of Our Arms" is the title of a most hopeful editorial.

TROUBLOUS TIMES IN THE BLUFF CITY.

The *Memphis Avalanche* having published an editorial entitled "Mischief Makers" in its issue of July 1, General Grant notified them that the paper was being conducted "in an incendiary and treasonable spirit" and must suspend publication unless the author of the editorial withdrew from the paper. Mr. Jephtha Folkes thereupon withdrew and the paper continued, but only for a brief period; it was a mere question of time and soon it suspended until the war was over, as did the *Argus*, and the latter was never revived.

Times in Memphis grew more troublous. Ministers who prayed for the Southern Confederacy were suspended and otherwise "effectually admonished." The constant communication between people in Memphis and their friends to the South of them so annoyed the Federal authorities that an order was issued, banishing from the city within five days the families of all persons holding communications with any who had voluntarily enlisted in the Confederate army; the families of all holding office or employment under the Confederate government; of all holding state, county or municipal offices, who claimed allegiance to the Confederacy and who had gone South. The order was enforced, and brought no little hardship on the women and children of hundreds of Memphis families. All who were driven out were

invited to call at the office of the *Appeal*, where there were many letters addressed by friends to the exiles.

Despite hard times there was still a generous spirit, and on the night of July 25, a concert given by Mrs. Richardson's music class realized \$258 for the sufferers at Vicksburg.

NORTHERN PAPERS IN DEMAND.

It was hard to get news in those days, with the enemy beyond and interrupted communication in nearly every direction, and a request is published "that gentlemen who arrive from the United States with late papers, leave them at the editor's room, over George Lake's store, next door north of the Collins House. In these days of uncertain mail from the South and a blockade on the North, our facilities for furnishing the latest news from all quarters can be greatly increased by a little attention on the part of our friends."

Sickness thinned the Federal ranks at Vicksburg, and August 1, the *Appeal* chronicles the fact that "the infernal yankees have left for parts unknown." But it did not last long.

An instance of Federal tyranny in Memphis is noted in the shooting of three white men and three negroes who refused to work on the fortifications.

About this time, in response to the query, "Why is it that the South stands up sturdily against the superior resources and numbers of the loyal section of the Union" the *Cincinnati Commercial* answered that the South had made the war a business. "The rebellious people have lost sight of everything but war, and, bending all their energies to it, have accomplished wonders." The *Commercial* urges the people of the North to do the same, but the *Appeal* in copying the article, with evident enjoyment says that these appeals will have no effect; "that the people of the North will not make war their business until they can see more dollars in following the occupation than can be found in their workshops."

Each success of the Southern arms is made the text of new encouragement, and is followed by ringing hopeful editorials that must have strengthened many a weary heart and soul in the endurance of the multitudinous privations that were brought on by

the war. "Now by St. George the work goes bravely on," is the caption of an editorial following the reports of August victories in East Tennessee.

THE COST OF LIVING.

Prices fluctuated—but they "fluctuated" in one direction mainly—upward. From the advertisement of J. C. McAllister in the *Appeal* of August 8-15, 1862, an idea may be formed of the cost of living in those days. Among the articles mentioned are cotton cards, \$10 per pair; black calico, \$1 per yard; French ginghams, \$1.25 per yard; Coats' thread, 60 cents per spool, or \$7 per dozen; Madras handkerchiefs, \$9 per dozen. High though this appear, it is nothing to prices that later on obtained in the beleaguered Confederacy.

The intense feeling shown by the Southern women, and the extent of their sacrifice to the cause of the Confederacy forms one of the most notable chapters of war history, and the story of their sacrifice is beyond writing. Many instances appear from time to time in the *Appeal*, one in the issue of August 12, 1862. The Yankee gunboats were at Natchez and the Southern soldiers were looking for them any day at Vicksburg. Twelve good guns were ready to receive them—everything ready for action except cartridge bags for the ten-inch Columbiads. These bags must be made of flannel, and not a yard of flannel could be had at any store at the place. Messengers were sent to appeal to men to give their flannel shirts for use. The ladies heard of the appeal and of the absolute importance of the cartridge bags. In a few hours no less than five hundred cartridge bags were at the headquarters, made of the flannel petticoats of the women of Vicksburg. They were sent to the batteries and when the fleet did arrive, were used in defense of the place, throughout the bombardment. Every cartridge bag used by the ten-inch Columbiads in the bombardment was made of the flannel petticoats of the women of Vicksburg.

The "latest news" was very hard to get. Telegraph service was very irregular, but under the head "Improving," the *Appeal* of August 14 mentions the fact that a number of dispatches from the North had arrived covering events of the 9th and only a few

hours after the papers containing the same intelligence. "Heretofore," says the editor, "the lightning has been from two to four days behind, but this effort makes some pretensions towards furnishing the very latest news." The leading item of the news here referred to was General T. J. Jackson's official report of the late battle in Virginia.

SOUTHERN SUCCESSES.

The North so far had been outgeneraled and public enthusiasm North was at a low ebb. The Northern press began to call for a general waking up to the importance of united action. The *Appeal* meets this by a call to the South to put every available man into the field, to meet the enemy at the border, and save their homes and their country from further pillage and devastation. Federal prospects, even to judge from the Northern papers, were by no means flattering in those days. Morgan's descent upon Gallatin and a general activity in Kentucky and Tennessee were followed by a report of the capture of Nashville by the Confederates, and this is made the text of another hopeful editorial on the cheering signs of the situation. This is followed a few days later by further successes in Middle Tennessee, and by another editorial demonstrating that "the dark hours of the Confederacy have passed, and a day of glorious successes, promising as the most ardent friend of Southern triumph and independence could desire, has broken upon us." Then came the victories at Manassas, at Stevenson, Ala., and at Bolivar—the dawn of brighter hopes and anticipations, and more roseate views of the situation. Indeed the chances of success crowning the Southern arms never looked better.

The mails were irregular, and the *Appeal* contained frequent protests that the service could be improved and should be. The importance of clothing the Southern army for the winter is urged, and the Southern women again came to the front and loaded the mails with socks and other articles of wearing apparel. The ladies around Brooks' chapel undertook to supply Price's men, and every loom and wheel and knitting needle went to work, giving "another sample as well of the patriotism as of the unconquerable spirit of our mothers and daughters."

THE PROSPECTS BRIGHTEN.

The details of the battle of Manassas began to arrive, and throughout the Confederacy congratulations upon the situation were heard. The South took hope again, and the end of the war was confidently expected. Apropos of the suppression of the *Union-Appeal*, of Memphis, a paper that had occupied the *Appeal's* former quarters, the *Appeal* expresses the hope that "the authorities will keep the premises in good order, as we confidently expect to resume our old quarters in a short time." In a day or two the *Memphis Argus* was suspended for publishing a report which was imposed on it of the capture of Cincinnati by the Confederate troops.

Jackson pushed on into Maryland; success in Tennessee continued; the hope is entertained of driving the invader from Tennessee, Kentucky and Missouri, the great provision states of the Confederacy.

Some enthusiastic friend remembered the editor, and a paragraph acknowledging the receipt of a bottle of old brandy says: "It is so old that we fear it cannot live much longer."

The Federal troops were gradually closing in, and the destruction of Prentiss and the capture of Senatobia are made the text of an editorial urging a movement forward to drive the enemy out of the State.

At an auction sale of goods in Charleston, September 17, candles brought \$2.40 per pound, white shirt bosoms \$95 per dozen, hoop-skirts \$190 per dozen, and tea \$10 per pound; higher than the prices previously obtained. Soon after this it is noted that flour is declining, extra family bringing only \$34 per barrel, "owing to the determination of the people to eat corn bread rather than give enormous prices for flour."

White paper is already an article of scarcity and value, and owing to temporary shortage the *Appeal* of September 26 and 27 contained but two seven-column pages.

A MEMORY OF HOME.

A memory of home, a beautiful bouquet from Memphis, was placed on the editor's table. "These fugitive flowers," he writes, "so tastefully arranged, have served to momentarily recall our

reflections from the busy and eventful scenes of strife to which the minds of all have been so long accustomed; and for this respite our friend who has placed the souvenir on our table has our thanks."

The repulse of Price and Van Dorn brought affairs in Mississippi to a crisis, apparently, but with the indomitable courage and energy that had ever characterized the paper, the situation is reviewed but one day later and pronounced more favorable than had been supposed. But Bragg had to fall back, abandoning Kentucky, and telegraph connection was interrupted again.

Early in November the Federal authorities in Memphis resolved upon a stroke which they imagined would stop the ceaseless firing upon their boats. An order was, therefore, issued that for every boat fired upon by the Southern troops, ten families would be exiled from Memphis. This order was carried out and resulted in much hardship to the defenseless women and children, who were driven out and left uncared for wherever they might be sent beyond the Federal lines. In the *Appeal* of various dates are advertisements that "Mr. ——'s family have been driven from Memphis by the Federals and are at ——, where they may be addressed by him."

Mails became more and more irregular and a real crisis was approaching for Mississippi; the Federals planned a systematic invasion for the winter, and these plans were promptly carried out. Troops appeared in northern Mississippi; their raids became more and more bold, and approached nearer Grenada.

At this time an informal negotiation was opened with the *Appeal* to return to Memphis, assurances being received "that in the event of our removal of the *Appeal* office to that city, the publication of our paper will be permitted unmolested by the authorities, and our rights of person and property respected." The paper, however, did not return, "We have chosen our lot," says the editor, "and we will abide the consequences."

THE FEDERALS WERE AROUND.

The Federals were around Grenada and the supplies cut off. Not the least interesting of these papers appear late in November, after the supply of printers' ink was exhausted, common blacking

being for several days used instead. And though the *Appeal* did not return to Memphis, yet it left Grenada. After the issue of November 29, there is no other issue until the 13th of December, when it appears under the Jackson, Miss., date. In the last days of November Grenada was in rather too close proximity to the headquarters of General Grant, who was seeking to make the acquaintance of General Pemberton at Abbeville, and when the Federal cavalry were fast approaching the north bank of the Tallahatchie, after Grant had driven Pemberton from Abbeville, the *Appeal* "retired," taking up its abode in the capital of Mississippi, where it remained until the 14th of May, 1863. December 13, 1862, the initial number of the Jackson issue of the *Appeal* appeared, with a notice of the change of location at the head of the editorial column. It is asked that all mail be sent hereafter to Jackson, and a promise is given to make up to all subscribers the interval of two weeks lost in the removal of the office. In making their bow to the citizens of Jackson, the *Appeal* expresses regret at having to move, and pleasure in the contemplation that "though driven from home, we are not among strangers."

"The *Appeal*," it continues, "has ever met a generous welcome and received a cordial support at the hands of the people of Mississippi, and so long as we are privileged to remain within her borders, we shall feel that we are among friends and brethren. Hoping that we have been and may yet be of some service to the State, we have a desire verging upon ambition to keep our paper alive during the war. By dint of our own energy and the blessings of good fortune, we have thus far been able to keep in advance of the enemy's lines, and would fain hope that we have now made our last retrograde move. Should the enemy permit us to remain in our present location until wild war's deadly blast is blown, and until gentle peace shall have assumed her benignant sway over the land, we shall have ample cause to rejoice at the sacrifices we have made in keeping our office out of the clutches of the enemy."

THE OFFICE AT JACKSON.

The Jackson office was on State street, a few doors below the post office and a meager exchange list for a time troubled the

paper, as papers kept on directing to Grenada, and little of the mail matter got to Jackson until too late for use. In the issue of December 15 a paragraph is published that at an election in Oberlin, Ohio, sixty-seven negroes were allowed to vote. The names of the darkies are published and the thing "proven beyond all doubt. It is supposed that the negroes voted in other townships, and an examination is now going on to ascertain the facts." The fiercest resistance is counseled to "the army of that people who have permitted this outrage."

A scarcity of paper again caused a reduction in the size of the paper to seven, and afterwards to six columns, for more than a week, though the announcement is made that "we have an agent at the mills in Georgia, and hope, in a short time, to be enabled to greet our readers again on a sheet of our usual size."

Salt is advertised at \$30 a bushel.

Christmas eve comes the news that Holly Springs has been captured. Not a word of the holiday season. The paper is issued on the afternoon of Christmas, but the matter is identical with that of the previous day, except something less than half a column of fresh news. Still there is not one word of the Christmas season, even an indirect reference to the festival, nor an advertisement of Christmas goods for sale. What more pathetic! The pinching necessities of the times left neither opportunity nor ability of observance. There was half a day of rest, and no doubt in the editor's sanctum were gathered a company of exiles who talked of the Christmas cheer of other days, but the memories were not for publication. They were but the reminiscences of gathered friends.

On the 26th President Davis addressed an immense audience at Jackson.

THE DEATH OF THE OLD YEAR.

The old year passed away and 1863 dawned, but there is no observance or mention of it, except a hopeful editorial on the progress of the war, beginning "The new year breaks in upon us with cheering beams of hope and promise. Our arms are everywhere successful, our troops in the main in high health and spirits, while the enemy are reported as disheartened and despondent."

On the 8th of January appears a notice that the *Appeal* would like to make arrangements for a supply of good, dry wood.

The main question discussed at the meeting of the Southern Press Association about this time was the importance of some movement to diminish the consumption of white paper, the supply of which threatened to fail altogether. No decision was reached, however, as the problem was evidently one for which there could be no solution.

In the *Appeal* of January 17 appears an advertisement of M. Stern & Co., indignantly denying the report that the flour sold by them was mixed with sand. These gentlemen assert that the only foundation for this damaging report was the fact that they were selling flour at \$65 a barrel, for which other dealers were charging \$80. Good coffee is advertised at \$3.75 per pound.

The campaign in Tennessee and Mississippi was growing more and more a center of observation, and the food question in the latter State became an important one. For the coming planting season the advice was given to plant but little cotton and much grain, thus supplying the food demand at home and depriving the Yankees of the cotton, of which they were beginning to feel the need.

STIRRING TIMES AT VICKSBURG.

Times began to be stirring around Vicksburg. Fifty transports and three gunboats arrived, and the siege went on. Cannonading could be heard almost daily. January 31, after having for six weeks appeared on paper of varying shapes and small sizes, the *Appeal* received a supply of larger paper, and resumed its eight column form, discarding the nonpareil type made necessary by the limited space, of which there had been numerous complaints from its readers.

During the early part of February the capture of the Cairo, the Queen of the West, and the Indianola, three Federal vessels, did much to cheer the whole Confederacy. This disposed of all the enemy's vessels on the Mississippi between Port Hudson and Vicksburg, and added three really formidable ironclads to Confederate resources.

Refugees were still arriving from Memphis, and still advertising for missing members of their families. Mr. J. B. Elam is

notified by advertisement, March 10, that he can find his family at the Pearce House, in Canton, Miss.

Rapidly increasing prices of supplies, the high cost of white paper and the increased rate for composition, forced an advance, March 12, in the price of the paper from \$1.50 to \$2.50 per month, and the price to news agents was at the same time raised from seven to ten cents per copy. The weekly was advanced to \$4 per year, and the express condition made that no subscriptions thereafter would be received for a longer period than two months in advance.

By President Davis' order, March 27 was observed as a day of general fasting and prayer.

The first day of April the *Appeal* was visited by Mr. J. S. Thrasher, general superintendent of the Press Association of the Confederate States, who was appointing correspondents and arranging other matters connected with a better press service. He went from Jackson to Vicksburg to arrange for full dispatches from the front. Morning and afternoon or evening editions of the *Appeal* were now published.

LETTER PAPER AND WHISKEY HIGH.

Letter paper is reported as selling at \$5 per quire at Shreveport, which occasions the editorial observation that "enough of the article ought to be impressed upon which to write the seller's passport to — the other side of Jordan." A few days later is chronicled the burning of the largest paper mills in the Confederacy, in South Carolina, near Augusta, Ga.—a loss to the entire South.

Whiskey is quoted at \$2.50 a drink in Arkansas, "and the bar-keeper does the measuring." Strawberries at two dollars a quart are reported as offered for sale—"forbidden fruit to us" says the editor.

Vicksburg is now threatened by land and sea. Firing was heard every day, and it was recognized that the next thirty days were big with important events. Mississippi was going through with what to her was the most trying ordeal of the war. Federal forces were marauding over the State, and the *Appeal* calls in burning language upon every man in the State to rise and drive

out the hateful foe. May opened with a Yankee raid on the New Orleans, Jackson & Great Northern Railroad, interrupting communication between Jackson and the South, and firing was heard along the Yazoo. The Confederate soldiers are pressed for food, and crying "Once more to the breach" the *Appeal* calls upon the women and children of every neighborhood to feed such as are camped within reach.

May 4 Jackson was full of rumors and canards of the most exciting description, but the *Appeal* decries the existence of a panic, still, however, paying close attention to Grant's movements. The issue of May 11 chronicles the death of Stonewall Jackson, and follows with an editorial on the bright outlook of the coming spring. Some one having circulated the report that the *Appeal* was getting ready to move its office from Jackson, as the Federals came nearer and nearer, the *Appeal* disclaims a belief that the foe can take the capital of Mississippi, and expresses a hope that the Southern forces can drive the Federals back. "More than a week has passed, and we have every reason to be hopeful—nay, confident. Entertaining these views, our friends will continue to hear from us as before, until the evening and the morning of the last day of even probable security."

SHELLED OUT OF JACKSON.

And the *Appeal* kept its word. But it was shelled out of Jackson on the 14th of May, when Grant made his famous move from Bruinsburg, by which he isolated Pemberton, and shut him up in Vicksburg, to be bagged thereafter on the Fourth of July. The printing press made its escape down the Southern Railroad to Meridian, and thence at its leisure to Atlanta. Generals Grant and Sherman were certain that they were about to bag the *Appeal* beyond peradventure, as their scouts had furnished them with a copy of that morning's issue, fresh and damp from the press—but they didn't. As they came in one way the *Appeal* went out the other way, with full forty rounds of shot and shell making a pother over its head before it could get safely out of the way of those impatient commanders. The printing press went on to Atlanta, but with the proof press and a few cases of type, the *Appeal* for about a week kept getting out small extras daily at

Meridian. Then the paper moved on to the pleasant city of Atlanta, thinking to be well out of the way of Grant and Sherman both.

In making their debut in Atlanta and explaining that they did not move till they had to, the *Appeal's* editors mention with evident enjoyment the fact that one of the first acts of the enemy in Jackson was to inquire "as to our whereabouts, and they were not slow in expressing their rage at our escape. We flatter ourselves, our evacuation was a masterly one—and it was accomplished without loss, notwithstanding a number of shots were fired across Pearl river at our rear guard by the disappointed yankees."

THE DEBUT IN ATLANTA.

In casting its lot with the people of Georgia, the purpose is announced to refrain from all interference in domestic affairs and dissensions in the state. "To the Confederacy we owe our first great duty, and when we have faithfully performed that duty, we shall have accomplished the object of our highest ambition in the present unsettled condition of the country."

The correspondence and reporting corps were enlarged and arrangements made for publishing full and reliable information. All paid subscribers are notified that the time lost will be added to the time their subscriptions have still to run. A job office was also opened in connection with the newspaper, which was provided with all facilities and materials "suitable for the finest work."

Despite all the trials and privations of war, there were many pleasant days in Atlanta. The office was located on Whitehall street, between Decatur street and the Atlanta and West Point Railroad, and was the resort of many men then or since famous in the annals of the South, as soldiers, editors, preachers, politicians and business men. Among their co-workers were Albert Roberts, erstwhile of the *Chattanooga Rebel*, which had then gone down to Marietta to be published; and Henry Watterson, both at times managing editor of the *Atlanta Confederacy*, and many others, many of them exiles like Colonels Dill and McClanahan, of the *Appeal*. There was too much life and activity to admit of dullness, and the hard and constant work left no time,

had there been any inclination for repining. The course of events was closely followed. Every victory brought exultation, and even defeat was not allowed to pass without some consolatory view of the situation. When printer's ink gave out, blacking was used to print the paper, and no doubt they were sometimes glad to get blacking. The sacrifices on all sides had long been too common to be made note of, men, women and children putting aside every interest except that of the common defense, and lending to that every aid in their power. Sometimes news was very hard to get. Telegraph facilities were meager at best and frequently, just when important news was expected from the front, the wires were down—but what could not be remedied was most philosophically endured. "Dixie's" letters from Richmond continued to give bright and crisp reviews of current events. "Shadow's" letters from Chattanooga, now a most important seat of war, kept the reader posted on occurrences and movements thereabout. The "Shadow" letters were written by two gentlemen then, and afterwards, distinguished in journalism—Albert Roberts and Henry Watterson.

TENNESSEE NOMINEES.

About the middle of June the Tennessee state convention at Winchester nominated Caruthers for Governor, his competitors for nomination being Bate, Whitthorne and Bailey. The congressional nominations for the several districts were Joseph B. Heiskell from the First, Wm. S. Swann from the Second, A. S. Colyar from the Third, John P. Murray from the Fourth, Henry S. Foote from the Fifth, Edwin A. Keeble from the Sixth, James McCollum from the Seventh, Thomas Menees from the Eighth, J. D. C. Atkins from the Ninth, John V. Wright from the Tenth and David McCullen from the Eleventh. When the election was held, Tennesseans throughout the Confederacy voted wherever they chanced to be, and the poll at Atlanta showed the presence of a large number of exiled citizens from the Volunteer State. The gubernatorial nominee himself was at the time of nomination and election an exile from his home, as was almost, if not quite, every man named for Congress.

TRIALS NEVER SUFFERED BEFORE.

The emancipation proclamation had been issued, but all the same a Charleston broker and auctioneer is mentioned as having sold twenty-five negroes ranging from two to sixty years for the aggregate sum of \$41,875, an average of \$1,671 apiece. And yet these prices were low, compared with the prices of other articles, for among all the terrible trials that befell the Confederacy this year, trials the like of which have not happened to other people in modern days, was a currency that had become nearly worthless. The railway system was so worn as to be incapable of transporting supplies promptly; the most fertile regions were desolated and a scarcity existed in the entire crops; the blockade was so stringent as to practically cut off the outer world; almost every man that could be spared was in the army; the Federal troops invaded their towns and states, freed their slaves and enrolled them in its army; defied their retaliation, captured their strongholds, divided their territory, defeated their armies and held the constantly increasing number of prisoners without exchange; their own territory was growing less and less, themselves unrecognized among nations—any other people on the face of the earth would have succumbed, would have proposed terms of peace.

But the South held on. Her financial troubles came to a crisis and the short grain crops of the previous year brought almost a universal famine upon the people. In many places the starving women organized and burst open the government storehouses to obtain food. The impressment of food supplies by the government was but a brief and momentary relief, and even that only in a few localities. The price per pound of some of the articles of common use were as follows: Bacon \$3, lard \$2.10, butter \$4, coffee \$10, sugar \$5. And these prices of 1863 were by no means the climax.

WORKING UNDER DIFFICULTIES.

The publishers of the *Appeal* had great difficulty in getting white paper and ink with which to get out their paper. Though their rates were high, they were low as compared with the prices they had to pay, and the price of subscription was advanced from \$2.50 a month in June to \$3 the latter part of July. In

January, 1864, it was increased to \$4 a month, again in March to \$5, and shortly afterward the notice appears that the present currency would only be received at two-thirds of the face value. Agents were supplied at 18 cents per copy, the retail price being 25 cents a copy.

At the beginning of the year, in spite of numerous reverses, the military power of the Confederacy was regarded by its citizens as able to cope very strongly with its adversary, and was far from being either shattered or broken. A hopeful aspect was presented until there came in quick succession the disaster at Gettysburg, the loss of Vicksburg and Port Hudson, the falling back of General Bragg, and the success of General Gilmore at Charleston. When it became known that in spite of all that human valor and devotion could do, Vicksburg and its defenders became the prey of the enemy, it was realized that the tug of war, the political crisis had come. The *Appeal* sounded the absolute necessity of prompt and energetic action, with a view to self-protection, and called on every man to join in striking a decisive blow that should break the power of the invader. The late changes in Middle Tennessee had given the question a more serious aspect than it had hitherto borne, and particularly to the people of Georgia, Alabama and Tennessee. July 7 throughout the State of Georgia according to the recommendations of the Governor, business was suspended and the people of every locality met and organized for the home defense. In calling on them to take every possible step, the *Appeal* tersely says, "they must either drive the Yankees out of the country or be overrun and robbed by them."

THE FALL OF VICKSBURG.

The fall of Vicksburg, already reported and believed, was not confirmed by the *Appeal's* advices until the 9th of July. Then, in the face of this appalling calamity, and despite the irretrievable loss of this strategic point, the indomitable hopefulness of the *Appeal* shone out amid the dark and gloom, as bright as ever in the hour of victory. After taking a brief glance at the gloomy side of the question, the paper concludes that the Yankees have bought their victory at a dear price; that even with an army of one hundred thousand men and thirteen gunboats doing police

duty, navigation of the river was but a hazardous experiment, and the people of the Northwest would soon realize the futility and absurdity of their senseless cry of "free navigation." "Free navigation is a barren privilege in the absence of commerce and trade, and these can be restored only on the return of peace. We think even the dark side of the picture has its bright spots. Come what may, we shall not despond, or despair of the Republic."

Again, a few days later, in an editorial on the past, present and future of the war, the conclusion is again reached that the enormous cost of Vicksburg to the yankees has made it a dear victory, and that "the experience of the past year teaches the important fact that we are far more able to carry on a protracted war of defense against our enemy than they are to wage one of aggression upon us. Already many of their own statesmen and organs are beginning to argue and discuss the absolute necessity of the ultimate repudiation of their war debt, which cannot fail to bring upon their people and government ruin and dishonor. . . . Let us then not court despair, but summon courage, and with *Nil Desperandum* for our motto, and a merciful and just God to guide us, we shall evoke victory from the cannon's mouth."

FURTHER SOUTHERN REVERSES.

Later in July came a silence of the wires for days, "ominous of evil, we fear," followed by the news of the occupation of Jackson. A week later come letters from Jackson over two weeks in route, "too late for publication, the situation having entirely changed."

Lee retreats from Pennsylvania, and under the caption, "Never Despond or Despair," there is an editorial beginning, "True manhood and heroic courage never despair, but rise superior to the calamities that befall them." Then follows a determined effort to show how many stars of hope and encouragement were still shining through the dark clouds of gloom, and the people are called on to rally once more while "the yankees are now in an admirable position to receive a severe drubbing, in the heart of our country, a long way from their gunboats and water courses."

Elsewhere in the Confederacy, many were convinced that in-

dependence was unattainable, but if there were any such sentiment in Atlanta, the *Appeal* did not reflect it. The last day of July there is another editorial, "No Cause for Despondency," counseling the careful husbanding of resources and declaring that the South might have ample cause to hope for ultimate success, even "though much weaker than she really is. He is more than doubly armed who fights in a righteous cause and on the defensive."

These hopeful extracts are given as a marked feature of the *Appeal's* war history. It never lost hope or faith, and who can tell the inspiring effect of this hopefulness upon its soldier readers? Is it any wonder that the South could hardly be conquered when its people were animated by a spirit like this?

THE SLOW PROGRESS OF EVENTS.

And yet the *Appeal* did not believe in creating a false impression, for more than one strong editorial is directed against those "who are humbugging themselves and others" by belittling the numbers of the enemy; "if their numbers are not more than stated, Southern arms will be disgraced if they are not whipped in thirty days. Let us no longer be humbugged. To be forewarned is to be forearmed."

August was characterized by little to be mentioned here. The column of the enemy closed in, and September found Bragg still slowly backing away as the Federals advanced. Then, weeks of fighting around and south of Chattanooga. Want pinched closer and closer, and made even more rigid economy necessary. The Federal program for the subjugation of the South, it was believed at this time, would terminate with the capture of Atlanta, and the *Appeal* in publishing the information calls for a defense that will make the city a place of political historic renown.

Late in November and early in December there were but vague and indefinite reports from the front, and little to claim mention here directly concerning the *Appeal*. December 9 Blind Tom gave a performance for the benefit of sick and wounded soldiers. December 10 was observed throughout Georgia, Alabama and Mississippi as a day of fasting and prayer.

The second Christmas in exile was marked by no particular

observance. But there is an editorial on the poor, and an appeal for remembering the "numberless mothers and little boys and girls without fire, with scant clothing and naked feet." Another editorial on the day speaks of Christmas customs and reunions and concludes: "And though many of us may be absent from home, in the hospitals and elsewhere, let home, with all its images of father, or mother, or brother and sister, with its memories, its hopes, its joys, be intellectually, as though actually present; and let the reunion of heart and mind be as complete as though we are not absent in the body. And, above all, let those of us who are at home not forget those among us who are away from home, in the withholding or denial of any little attention or accustomed civility, kindness or hospitality; for, as it is a day peculiarly of gifts, it is a day when gifts are twice blessed, blessed to him that receives, more blessed to him that gives."

HELPING MORGAN'S MEN.

In January over \$10,000 was raised in Atlanta by subscription toward mounting Morgan's men and equipping them for service again, and \$2,500 was added to this amount by a concert given by the ladies of Atlanta.

On the 19th of January the *Appeal* began the publication of both morning and evening editions, the fresh matter of the morning edition appearing on the first page, and that of the evening on the second. This change was made to reach their subscribers on the Augusta & Macon and Western roads one day earlier than heretofore.

January 28, Mrs. S. C. Law passed through Atlanta, with five hundred blankets and one thousand five hundred pairs of socks, a contribution of the ladies of Columbus, Ga., to the needy soldiers of General Johnston's army. On the same day some other ladies are rebuked editorially for having made the rounds of the city soliciting contributions for putting a carpet in the parsonage of one of the churches. "In times like these," suggests the *Appeal*, "when numbers of our soldiers in the field are suffering for covering to shield them from the chilling blasts of winter, and their families at home suffering for the actual necessities of life, it is not only not commendable, but is reprehensible. If

any of our ministers have carpets on their floors, it is their duty at once to convert them into blankets and send them to the army. Let us hope these no doubt well-intentioned ladies will think better of their enterprise and give their charities a more deserving and wholesome direction." This shows the spirit of the times, that all there was in the South should be devoted to the South and to the army that was fighting its battles. We hear no more of the carpet enterprise.

An item in the *Appeal* of February 8, shows that the price of white paper has passed \$47.50 per ream, in forty ream lots. This made a newspaper an expensive thing at best, and a few days later we find a notice that the cost is being wrongly increased by newsboys who have charged a number of gentlemen fifty cents a copy, when the price was rightfully but twenty-five cents a copy.

An earnest appeal is made for the planting of as large crops of breadstuffs as possible, the intention being quite evident on the Yankees' part "to starve us into submission." Attention is called also to a large number of idle boys in the city who "ought to be doing something for their country, either with a musket or a plow."

PRICES GO HIGHER AND HIGHER.

Quinine is quoted at \$200 an ounce, and people's faces have grown so long that the barbers charge a dollar for a shave. The butchers put up the price of beef to three dollars a pound, and bacon was selling at the same price. Note is made of the fact that a man who had invested \$3,300, his entire savings, in one thousand one hundred pounds of bacon, had his smokehouse broken open and his entire meat supply stolen. Incendiary fires for purposes of robbery were daily reported. But with the approach of spring hopeful feelings returned and the *Appeal* declares that the gloomiest days of the Confederacy have passed.

March 25 E. M. Edwardy advertises that until April 1 only he will sell ten pounds of granulated sugar for one hundred dollars or six and two-third pounds of coffee for the same amount. Mobile prices are said to be lower than Atlanta prices, as in Mobile corn meal is only \$7 a bushel; peas, \$12; potatoes, \$12; pork, \$4 a pound and butter \$10 to \$15 a pound according to quality.

Richmond quotes per pound: soap, \$4; candles, \$5.25; dried apples, \$2.37½ and peaches, \$2.50. Mobile hotel rates are said to be \$15 a day, "an example well worthy of imitation in Atlanta, where the rates are outrageous." Onions may be had in bunches of one dozen small ones for \$2 a bunch. "A love of a bonnet" is described which may be had at \$1,000.

Meantime the enemy was drawing nearer. May 9, they were at Rome, and closer and closer they came to Atlanta. The movements are chronicled daily until June 24, when an important movement, "which we cannot mention," had taken place. No press reports were received for three days, the wires all being cut by the army of siege around Atlanta. The effect was depressing on all. On the 27th and 28th firing was heard beyond the city, the battle of Kennesaw Ridge and at other near-by points. With the issue of June 30, 1864, the regular Atlanta issue of the *Appeal* is closed.

AWAY FROM ATLANTA.

Its stay in Atlanta was nearly done. Shortly before the city was entered by the conquering legions, the *Appeal* retired from that same Gen. Sherman who a year before had chased them out of Jackson. The *Appeal*, press and type, went to Montgomery after June 30, but the paper continued issuing extra slips from a proof press until the evacuation. As General Somebody's corps marched into Atlanta on one side, the proof press and a few cases of type retained to operate it went out on a dray on the other, and so the *Appeal* and Gen. Sherman parted company for good. Sherman went off down into Georgia and knocked many a printing office into "pi" there and over in South Carolina. The *Appeal* forces went on to Montgomery, where the paper was regularly issued again, beginning the 20th of September, 1864, and continued to entertain and instruct the denizens of Dixie until about the 20th of April, 1865.

MONTGOMERY EVACUATED.

Then another fierce military gentleman of the Federal persuasion took it into his head to ride furiously down through Alabama—Major General Wilson, with nine thousand Spencer rifles

in the hands of picked men, who knew how to ride and how to fight. He gobbled up Selma, using it very roughly, burning foundries, gun factories and things generally of the "C. S." brand of ownership. When it was definitely ascertained that he had fixed his eagle eye on Montgomery—that is to say, about the 12th of April, 1865, the *Appeal* became aware of the sound policy of an immediate evacuation of the "cradle of the rebellion," and made room for the General. The press took to itself wings and steam, and fled east of the Chattahoochee to Columbus, Ga. Montgomery was occupied without resistance, and Columbus captured after a stout but ineffectual defense. The press and the material, except the proof press and a few cases of type, had been sent to Macon in anticipation of General Wilson's probable visit to Columbus, and were there deposited in a place of safety, and were not discovered until after the armistice and the promulgation of orders from General Sherman to stop the destruction of either public or private property. The proof press and a few cases of type left behind in Columbus were piled in the streets and destroyed by order of Major General Wilson, who had one way and another been often engaged in the pursuit of the migratory journal and the migratory journalists. The illness of Colonel Dill's wife had delayed his departure too long, and after some little search he was found by Colonel Minty and conducted to General Wilson's headquarters in the Perry House. When they came in the room, General Wilson was seated on the floor with his engineer, a large map spread out under them. Colonel Minty addressed the General with the request: "Allow me to introduce to you for a moment, sir, Colonel Dill, of the *Memphis Appeal*." "Jesus Christ," exclaimed General Wilson, jumping up from the floor; "have we caught the old fox at last?" At this there was a general laugh all round, followed by some old Bourbon, which Colonel Dill declared to be better than any he had tasted for two years. General Wilson gave Dill the choice of giving bond not to publish another paper during the continuance of the war or being held as a prisoner. Dill very promptly gave the bond, and was released.

THE RETURN FROM EXILE.

But the war was now about ended, and, ironclad with amnesties and paroles, the *Appeal* came home from its eventful exile of three years. The old press came back, too, and as soon as more type could be procured, the *Appeal* again began its publication on the 5th of November, 1865. It was again, in truth, the *Memphis Appeal*.

When the war broke out and the paper went into voluntary exile it had been one of the wealthiest institutions in Memphis, and was published by McClanahan, Trousdale & Dill. McClanahan and Dill went with the paper when it started on its three years' flight through Dixie, but Col. Leon Trousdale was not with it during its career "on wheels." He had previously left to become a staff officer with some general of the Confederate Army, and afterwards became identified with the *Chattanooga Rebel*, another migratory journal of much reputation in those days, though not so long-lived as the *Appeal*. Other members of the *Rebel's* staff were Albert Roberts, Henry Watterson, Franc M. Paul and perhaps others of less note. Both McClanahan and Dill came back to Memphis, but before the first issue of the paper was printed in its old home, McClanahan was no more. He had been identified with the *Appeal* since 1847, was with it in all its migratory campaign and was a writer of eminent ability. He had been sick, and was still quite feeble. On the morning of June 29, 1865, he had opened the window of his room at the Gayoso Hotel to get the air, when he lost his balance and fell, crushing himself so cruelly as to die shortly in the greatest pain. From the *Nashville Press* is taken the following account of the tragedy, which will prove interesting in connection with this strange and eventful newspaper history.

"On the morning of the 29th ult., Col. John R. McClanahan was found in the alley in the rear of the Gayoso House, Memphis. He had sometime during the night fallen from the window of his room in the third story of the hotel, and was horribly mangled by the fall. Both arms and both legs were broken, the latter near the knees; his chin crushed, and he was otherwise badly bruised. He was conscious when discovered, and in the

intensity of his agony begged some one to kill him and put an end to his sufferings. He died shortly after.

"Col. McClanahan was for many years editor of the *Memphis Appeal*, and, in 1860, a warm supporter of Mr. Douglass for the Presidency. He subsequently supported the rebellion, and, on the approach of the National troops to Memphis, removed with his office to Grenada, Miss. Both he and the *Appeal* became rather notorious at a later day for the frequency of their change of base, and, lastly, for losing even their base. He was a kind, warm-hearted man, a fine scholar and an able writer. Next to the late Elbridge G. Eastman, he was the most sagacious and reliable editor connected with the Democratic press of the State of Tennessee."

Mr. W. F. Dill, the other proprietor, did not long survive him. He was sick at the Gayoso Hotel when the first issue was printed, and died early the following year. When the first number was being printed, Major Will O. Woodson, who was connected with the paper, and had been one of its special correspondents during the war, seized the first printed sheet as it came from the press and rushed with it to Dill's sick room. Mrs. Dill seized the paper and kissed it passionately, as though it had been a thing of flesh and blood, and then spread it affectionately over her pale, sick husband. To her this was an emblem of all the hopes and struggles and failures of the Confederacy. The Colonel looked at it more practically. He picked it up and began counting up the number of advertisements and hunting for typographical errors. He was able to make but one visit to the office where the paper was printed, and died a few weeks afterwards.

But though neither of these two brave workers long survived the strange episode in journalism which they created, they had carried out their ambition to have their paper live throughout the war.

Another worker on the *Memphis Appeal* of the war times is deserving of more mention than can be given him here for want of the facts. Things went by rapidly then, and men stopped not to gather the threads of each other's lives. Linebaugh, a fluent and brilliant writer, joined the force in Atlanta. He was an ex-

clergyman of the Episcopal Church, very erratic but full of fine traits of character. Loved like a brother by the exiles, he went with the *Appeal* on its last flight. While crossing the Alabama River he was drowned, and was thus the first of those closely allied with the *Appeal* to pass away.

POST BELLUM CONGRATULATIONS.

The *Appeal's* war history was a subject of considerable comment among the gentlemen of the press after its return, and many of them wrote sketches of great or less length of the *Memphis-Grenada-Jackson-Atlanta-Montgomery Appeal*, as one of them termed it. Under the caption, "A Wanderer Returned," the *Cincinnati Commercial* said:

"During the war the frequent removals of the *Memphis Appeal* caused a good deal of merriment, and journalists especially kept an account of its wanderings and amused themselves at its expense. The paragraphs on the subject have been innumerable, and it is doubtful whether the proprietors of the *Appeal*, though they were not unappreciative of a good thing, were always able to see where the laugh came in. We received many copies of the *Appeal* when it was issued at Grenada, Jackson and Atlanta, and the ample extracts from its columns that may be found reproduced in the *Commercial*, are the best testimony we can offer that we recognized it as a good newspaper. We remember well the copy of the *Appeal* issued at Atlanta on the morning of the battle of Peachtree Creek. It was full of fight, and we should not be surprised if the headlong valor of Hood's army that day was due, in no small degree, to the fiery appeals addressed to the men to make their fight then and there. A huge ten-column folio sheet made its appearance among our exchanges yesterday, and lo! it was the *Memphis Appeal* again, and it was dated Memphis, Sunday, November 5, 1865. . . . The *Appeal* proceeds to say 'that if it erred in obeying the impulse which throbbed as from one impassioned heart throughout the South, it may claim to have made some expiation in the sacrifices it has endured during the three years of its self-exile.' It has 'no unmanly excuses to make,' nor 'stultifying recantations of opinions and sentiments once honestly entertained;' but admits that 'the stern logic of events has practically compelled their renunciation. We frankly and truly accept the interpretation which has been stamped with the red verdict of war upon the Constitution, of the indestructibility of that Union of States and people which makes us, for all time, a mighty and indivisible Republic; we recognize and abide by

the logical sequence of the late unhappy Civil War, in the destruction now and forever, of the institution of African slavery. The real men of the land, the true fighting soldiers of both sections, have decreed that there shall be a real peace and a genuine union in the great American family. Between the veteran Federal soldier and the unflinching Confederate soldier, who have so often met each other in the raging conflict of battle, there is a feeling of respect that affords the sure foundation on which the restored Union will rest.'"

So much for the other side. On this side the following may be given. It was written for the *Nashville Republican Banner* by Albert Roberts, himself a "traveling journalist" in those days with the *Chattanooga Rebel*, and afterwards with the *Atlanta Confederacy*, after the war at the head of the *Republican Banner*, and at the head of the *American* in Colonel John C. Burch's time—the peer of any journalist of the time:

"Do our eyes deceive us? No, it is the *Memphis Appeal* which stares us in the face! The same old letter—Roman bold—at the head; the same antique decorations and plain captions; the very ink, and, as it were, the very paper. We stand, so to say, in our old shadow, and read it like a page of Waverly. *Esto perpetua!* Here is the portly and impressive Dill, like a burgher of the olden time, in broad-brimmed hat and silver-headed cane, just as he used to pass from Whitehall to Peachtree, undismayed by the shells, unmoved by the dreadful stench of saltpeter; here, hovering in the air, is the bleeding form of poor McClanahan; and here, dripping in water and wrapped in moss, is the brilliant and ill-fated Linebaugh! The history of this journal will be read a hundred years hence like a romance. It has had more adventures than a Knight of Malta, and has come out of the smoke and din, covered over with scars, but stronger and braver for the conflict. It has heard lions roar, and seen the sea puffed up with winds; and its haps and chances by flood and field make matter for a ballad. Nothing in newspaperography can compare with its strange, eventful career.

"Ah, that old press! How well we remember it! Clickity-click! Clickity-click! Clickity-click! Through the long night it rattled away, defiant of the roar and storm outside; and every morning how bright and fiery, unfatigued and fresh it looked—like a war-horse ready for another charge. They carried the works of Peachtree street; they carried the works below Decatur; they carried the rifle pits which ran along the Macon road. Clickity-click! Clickity-click! the old press dashed along, heedless of danger, a living, breathing, cognizant being, cast of iron,

steel and melt. Dill grew serious, Dumble's face extended and Mack's pen wandered vaguely across the page. Old Joe was down the country and Hood was playing the devil. Then Stoneman was gobbled. Clickity-click! rattled the old press. There was a pause—an ominous lull. The bloody twenty-second of July was passed, the bloody twenty-eighth was lost, and Ben Hill knew no more about Sherman than he did about Paradise. Hood, like Dill, was serious, and the boys at the front were serious. Hardee was off at Jonesboro. Boom! Boom! How the guns thundered! Crash! Crash! How the roofs, walls and church spires tumbled! Whiz! Whiz! How the schrapnel tore through the air! Clickity-click! Clickity-click!

"The city fell. Out we went, like a snuffed candle, and darkness followed. It lasted long, unstudded with stars. Linebaugh lies at the bottom of the Alabama; McClanahan, God rest him, sleeps on the banks of the Mississippi. Day begins to break. Clickity-click! the press is going again with gallant Dill upon the flat.

"It is all over now. It seems like a dream. What shadows we pursue! May our ancient friend never be shadowless, but may it bear the sun to mark its shadow. Here's your health, O, Dill! May you never move again, O, *Appeal!*—except your readers."

SKETCH OF CAPTAIN DAVID CAMPBELL.

BY MARGARET CAMPBELL PILCHER.

Captain David Campbell's great grandfather, Alexander Campbell, lived in Argyleshire, Scotland; the name of his wife is unknown. He had a son, William Campbell, who married Mary Byars. They went from Scotland to Ireland during the religious persecutions in that country, hoping to find a place where they could worship God in their chosen way, but were disappointed and discontented in Ireland, and finally decided to emigrate to the English colonies in America. They settled in Virginia. Others of the same name and clan, and relations, settled first in Lancaster County, Pennsylvania, remained some years and then removed to Augusta County, Virginia, about the year 1730.

William Campbell and his wife, Mary Byars, had seven children. The eldest, David Campbell, married Jane Conyngham, a granddaughter of Colonel Patrick Conyngham, whose family lived in Ireland on the river Boyne. The head of the house was Sir Albert Conyngham. Colonel Patrick Conyngham commanded a regiment at the battle of Boyne, 1690.

David and Jane Conyngham Campbell had four children. William married Mary Ellison, and was prominent in the Indian and Revolutionary wars. His two brothers-in-law, Captain William Ellison, who married Mary Campbell, and Major John Morrison, who married Martha Campbell, were also patriotic defenders of their liberty in the same war.

David, the subject of this sketch, was the youngest child. He was born in Augusta County, Virginia, August, 1753. Three months previous to his birth his father died, and his mother died when he was but six years of age.

His brother William, being the eldest, according to the old English common law which was in force at that time, inherited the whole of his father's property, which consisted entirely of landed estates and slaves, so young David was forced to de-

pend upon his own resources very early in life, and bravely he solved the problem of making his living. He had accumulated some means by the time he was twenty years of age, which he invested in a small farm in Washington County, Virginia, to which he moved. This was near Abingdon. Soon after settling on his farm he met his cousin, Margaret Campbell (daughter of his mother's half sister, Mary Hamilton, and David Campbell, a distant relation). They became attached to one another and were married in 1774, she being about 21 years of age at the time of her marriage.

Her father, David Campbell, was an officer in the Virginia army in 1759, when his young son, Arthur, was taken prisoner by the Indians and escaped after three years captivity in Canada. (See old family manuscripts and also *Virginia Magazine of History and Biography*, Vol. VII, No. 2, October, 1899.) She had several brothers who were distinguished in the war of 1776. Margaret Campbell was keeping house at the "Royal Oak," the family seat of her two brothers, Colonel John and Colonel Arthur Campbell, at the time of her marriage. The two young people settled upon their farm near Abingdon, Virginia. While living at this place David Campbell participated in a number of engagements against the Indians, one in October, 1774, the battle of Point Pleasant. He was in the company of his brother-in-law, Captain John Campbell, when they were in the decisive battle of Long Island Flats, July, 1776, and in a number of other engagements against the Tories and Indians. He was a captain in the Colonial and Continental armies, was at the celebrated battle of Kings Mountain, with eight others of his name—brothers and cousins. About the year 1782 David Campbell, with his family, moved from Abingdon, Virginia, to Washington County, East Tennessee, and remained there only one year. He then went to the "Strawberry Plains" tract of land, which he then owned.

He had a tract of land granted him for his services during the Revolution of 1776, situated in Green County, East Tennessee. He lived upon this farm about four years, then moved to "Grassy Valley," in Knox County, about fifteen miles from Knoxville, about the year 1785, and made the first settlement there. He built a station at this place, which was completed

March 7, 1787, and others coming and settling near assisted in making the station a stronghold against the hostile Indians in the vicinity. It became known all over the country as "Campbell Station," was made a post office later, and is called by that name to the present day.

At the time of Captain Campbell's settlement at the "Station" the Indians were very fierce and warlike all over that section of the country, and the white settlers were constantly being murdered and driven from their homes. Every station in that neighborhood was taken and destroyed except Campbell's.

A little act of kindness and clemency shown by Captain Campbell to some Indian women and children soon after he settled in East Tennessee was never forgotten by them, and this accounted for his station never being attacked, except once, by a strolling band of Indians. It indeed seems strange that the depraved savage, so bloodthirsty and beastlike in their revengeful nature, should possess feelings of such gratitude; yet it is true, as we see from the following incident:

Captain Campbell on one occasion led a company from the fort on an expedition against some Indians who had been committing depredations upon the settlers and their stock. Arriving at one of their towns they found the warriors all absent upon some raid—none but women and children left in the village. A majority of the men wished to slaughter them and burn the village, but their commander, Captain Campbell, would not permit such an act of cruelty to be perpetrated upon the helpless community, and sternly ordered the men not to harm one of them upon peril of their own lives. One intractable fellow, seeing a girl near him—Lucy Fields, the daughter of a chief—raised his gun to shoot her, when Captain Campbell knocked his piece up just in time to save her life. At this the women all crowded around him imploring his protection, which he kindly gave, marching his men off without harming them. Before these tribes left Tennessee for homes given them in Western Arkansas by the government this girl, Lucy Fields, and her mother went to Campbell's Station and gave a beautiful fan made of eagle feathers and beads, and other pieces of their handiwork to the wife and daughter of their protector. The writer has often in her childhood seen the fan, which was for

a long time preserved as an heirloom in the family. It was made of the tail feathers of a large eagle, the lower part being embroidered with many colored beads upon some substance that looked like birch bark. It also had a peculiar looking cord and tassel on the handle.

Again, to show that this act of kindness was never forgotten by the Indians: Fields and McIntosh were the chiefs of the tribes saved, and long years afterward General John Campbell, the son of Captain David Campbell, was appointed by the government as agent to the Indians in western Kansas. There he met the descendants of these two chiefs, and they remembered and spoke to him of his father's act with much feeling and gratitude.

After this expedition it is said that the warriors in all their councils determined that Campbell's Station should be the very last fort taken. They never attacked it. Peace was made and they were ever afterward friendly. This Station was for many years a frontier fort, and nearer than any other to the Cherokee tribe of Indians; and it was only by the most vigilant conduct, tact and kindness that Captain Campbell maintained and defended his fort from the attacks of hostile Indians. He was a participator in the Franklin government, and after the state was admitted to the Union as Tennessee he was a member of the legislature, assisting in enacting the first laws for the state government. He was afterward elector for President and Vice President of the United States. He was a most patriotic, public spirited, estimable and honorable man, greatly honored by the whole community. During his absence with all the able bodied men on an expedition against the Indians, a strolling band of savages attacked the fort, but they were repelled by the bravery of his wife, Margaret Campbell. She armed all the old men and boys, the women also helping. Their defense was so fierce that the Indians concluded the fort was full of white men warriors, so they retired.

On July 29, 1799, David Campbell lost his beloved wife, Margaret Campbell, by whom he had eight children, four dying in early youth, four living to be married, but only one leaving descendants. Jane, the eldest, married Colonel Wright, of the United States army. Mary married her cousin, David Camp-

bell, who was afterwards governor of Virginia. John, his eldest son, entered the regular army of the United States in 1795, and continued in it till the close of the War of 1812. He was lieutenant colonel in the northern army, was at the battles of Plattsburg, Fort George and other engagements on the northern line. He was a worthy man and a brave soldier. He left no descendants. The youngest son, David, born March 4, 1781, was a most estimable man and commanded the respect of all who knew him. He married Catharine Bowen, a daughter of Captain William Bowen (a brave soldier of the Revolution) and a granddaughter of General William Russell, who was also a statesman and patriot in those "times that tried men's souls." This David Campbell and his wife, Catharine Bowen, were the parents of William B. Campbell, who was a captain in the Florida war, was in Congress six years, colonel of 1st Tennessee regiment in the Mexican war, judge and governor of Tennessee.

In 1804 Captain David Campbell, the subject of this sketch, married a second time. By this marriage he had three children, but only one lived to maturity—Margaret Lavinia Campbell, a most noble, lovely Christian woman, and one of great intellectual attainments. She married the Rev. John Kelly.

Captain Campbell left Campbell's Station in 1823, went to Wilson County, Tenn., near Lebanon, and settled on a farm of 600 acres, which is still owned by one of his descendants. The daughter of Captain David Campbell, in writing of her father, says, "He was a man of stern, excitable temperament, with strong affections." I only knew him after the public spirit of buoyant youth had calmed into the sober, resolute determination of generous patriotism, when the restless ambition, strengthened by the rough life of an orphan boy, had drawn him into many a struggle with which he bravely contended, until his soul felt the animation of success, and upright principles were wrought in him destined to live forever. His country's welfare was such a fixture in his character that no changes, no troubles or conflicting circumstances prevented his manifesting an ever active interest in its prosperity. The same propensity that made him give his services to his country during the Revolutionary War in defense of liberty, and the hardihood to undertake the life in a frontier fort with his little family for eight

years, only changed its course when the many demands of a newly settled country in behalf of its civilization required his means and assistance in the erection of many log school houses, as well as bearing the greater part of the expense for teachers, not only for the advantage of his own children, but for those of his neighbors who were unable to contribute to these pioneer schools.

At no time in his history did I ever know him indifferent to the character of the man who was a candidate for office, whether the office was high or low; he considered it connected with the interest of his country and therefore a matter of deep concern to him. He felt that to be a right, which he ever exercised and kept in full force until he was near fourscore years of age. With pleasure and profit do I often revert to his uncomplaining disposition. With a firm tread he walked through the rough scenes of life, with contentment and cheerfulness, and admonished his children against fretfulness and discontent, while with a woman's tenderness he would ever encourage them in a course of usefulness for themselves and others. His influence and fond but worthy ambition was deeply felt by his children throughout their lives. I only knew him after the asperity of a high, strong nature was softened by Christian influence. The fervent spirit of the true Christian never died in this patriotic man. The love of the land of his birth, for which he had fought in two wars and enjoyed a probationary existence, did not prevent his warm affections from moving toward that better country. He was a man of truly devout religious feeling, possessed great integrity of character, was hospitable, social and kind to all who needed his aid in any way. He was slender, erect, square shouldered, with black hair and eyes, was five feet ten inches in height, a man of undaunted bravery and courage under all circumstances.

He lived on a farm seven miles from Lebanon, Tenn., until his death, which occurred August 18, 1832, aged 79 years. He was buried in the village grave yard at Leeville, Tenn., near Lebanon. A monument is over his grave, erected by his family.

CAPT. JOHN CAMPBELL.

Lyman C. Draper, to Governor David Campbell, of Abingdon, Va., July 1st, 1840, says:

"Maj. Benjamin Sharp, in speaking of your father, says: 'In giving you my views of the character of Capt. John Campbell, my attachment to him was so strong as perhaps to render me blind to defects in his character that others might discover. He was one among the most confidential friends I ever had in my life. For eight or ten years that we lived neighbors, our political, moral and religious sentiments were precisely the same. He was temperate in all his habits; his disposition mild, and unassuming; his manners and address free from familiarity, but not obtrusive; his mind highly cultivated, and his judgment sound and discriminating. He was dignified without pride, humble without severity, religious without superstition or ostentation.

" 'He was sincere in his friendships; his disposition towards his enemies, I never knew tested, for I never heard he had any. He was the useful citizen, obliging neighbor, affectionate husband, kind father, indulgent master to his slaves, and to crown all, he was a true patriot, a Whig of 1776. I feel my incapacity to fully delineate the character of such a man, so noble and true in everything.

" 'His descendants may well cherish and revere his memory, and if they make his character the chart by which they sail through the ocean of life, they may stand a fair chance never to be wrecked on its rocks and quicksands.'

"MAJ. BENJAMIN SHARP."

John Campbell was captain of a company in the battle of Long Island Flats, fought on July 20, 1776, against the Cherokee Indians; he was afterwards an officer in the Continental army, organized a company from western Virginia and fought bravely during the Revolution; he was father of Governor David Campbell, of Abingdon, Va., and brother to Margaret Campbell, who married Captain David Campbell, of Campbell Station, East Tennessee, and they were the grandparents of the late Governor Wm. B. Campbell, of Lebanon, Tenn.

MARGARET BOWEN CAMPBELL TO WILLIAM
BOWEN CAMPBELL.

“Round Lick, near Carthage, Tenn., July 7, 1828.

“My Dear Son: I delayed answering yours of the 13th of June, which I received about two weeks since, that I might give you some account of the parade that was agitating us. The inhabitants of Lebanon and Wilson County sent an invitation to General Andrew Jackson to partake of a dinner and supper on the 2nd of July on his way to Carthage. A committee of ten men were sent to conduct him; they were to start from your grandfather's [Capt. David Campbell] to town. General John Campbell, your uncle, was one of the conductors. The next day there were ten more sent to bring him to this county line, which is at Mr. David Shelton's; there your father was commissioned to receive him, as he belonged to the Smith County committee. The General said it was his wish that day to take a family dinner with your aunt and uncle Moore, and return and stay all night with us. About ten o'clock in the morning they arrived here, stopped and had their horses put up and fed, they all walked to your Uncle Moore's; your uncle General John and your Aunt Emeline Campbell walked with them, also your little sister and brother, David and Virginia; they were the only children at home at that time—John, Mary and Margaret had gone up to Carthage early that morning, as there would be trouble in crossing the river when the crowd assembled for the great parade. The General took a great fancy to little Virginia, led her by the hand, and at the table, when I wished her to wait, he took her and seated her by himself, and attended to her; she was quite delighted, although she looked rather abashed at his politeness. I wish I could describe to you the meeting, indeed I did not think it would have had the effect that it did upon my feelings when the company rode up and dismounted at my door. I looked out and saw General Jackson advancing with that same gallant air that I had often seen in days that are now departed. I involuntarily

stepped from the house to meet him, and was received in the warmest manner by the old warrior; a mixture of feelings crowded upon me, reflecting on the toils, difficulties and many weary steps that the old hero had taken since I had seen him last; nearly twenty-three years had elapsed since that time. The next morning before his departure, he stationed himself near me to have a serious chat before parting, although the house and yard was full of men waiting to see him, and hear him talk.

"I have promised to let the girls go to the Hermitage on a visit to him, but don't know how it will be yet. The Governor was here also, but I could not attend much to him when the General was near, for I did not know him in the days of yore.

"John and his sisters returned from town yesterday; they were much pleased with their trip, and more with seeing 'Old Hickory.' He was very kind and attentive to them when introduced in Carthage, which was, of course, very gratifying indeed to me, who had been an old friend and neighbor of the Old Hero's so many years gone by. I have given you enough of this 4th of July parade; will write to you soon of other things. Adieu, my son; you have always your mother's blessings.

CATHERINE B. CAMPBELL."

MILITARY GOVERNMENT IN ALABAMA, 1865-1866.

BY WALTER L. FLEMING.

The Military Division of the Tennessee (1863) under General Grant included the Department of the Cumberland under the command of General George H. Thomas. Several counties of north Alabama in the possession of the Federals formed a part of this department and for three years were governed entirely by the army, except for two short intervals when the Federal forces were flanked and forced to retire. Anarchy then reigned, for the civil government had been almost entirely destroyed in ten of the northern counties. June 7, 1865, the Military Division of the Tennessee was reorganized under General Thomas, and included the Department of Alabama commanded by General C. R. Woods, with headquarters at Mobile. In October, 1865, Georgia and Alabama were united into a military province called the Department of the Gulf, under General Woods. This department was still in the Military Division of the Tennessee commanded by General Thomas. June 1, 1866, Alabama and Georgia were formed into the Department of the South and were still in Thomas's Military Division of the Tennessee. General Woods commanded with headquarters at Macon, Ga. Alabama was ruled by General Swayne from Montgomery. August 6, 1866, the Military Division of the Tennessee was discontinued and was made a department, General Thomas retaining the command. In this department Georgia and Alabama formed the District of the Chattahoochee, with headquarters at Macon, commanded by General Woods. The sub-district of Alabama was commanded by General Swayne, who was also in charge of the Freedmen's Bureau at Montgomery. This organization lasted until the Third Military District was formed of Alabama and Georgia,

in March, 1867, and General Thomas (immediately superseded by General Pope) was put in command (1).

Within a month after the surrender of Lee, Alabama was occupied by Federal armies and garrisons were being stationed at one or more points in all the more populous counties. The military authorities were inclined at first to permit the citizens to reorganize the state government on the basis of the Lincoln plan of restoration by assisting and encouraging a peaceful revolution in the existing government under the old constitutional forms. But this was forbidden by the administration and the army was ordered to break up the civil government, which was done (2).

Officers were sent into all the counties to administer to the people the oath of allegiance. It is said that not many of the people took it and that most of them were rather indifferent about it (3).

For several months there was no civil government at all and no government of any kind except in the immediate vicinity of the army posts and the towns where military officers and Freedmen's Bureau of agents regulated the conduct of the negroes, and incidentally of the whites, well or badly, according to their prejudices. Some of the officers, especially those of higher rank, endeavored to pacify the land, gave good advice to the negroes, and were considerate in their relations with the whites; others incited the blacks to all sorts of devilry and were a terror to the whites (4). Each official in his little district

(1) Van Horne, *Life of Thomas*, 153, 399, 400, 408.

Huntsville Advocate, June 9, 1866 (for copy of order relating to Department of the South that I have not found elsewhere).

G. O. No. 1, Mil. Div. Tenn., June 20, 1865.

G. O. No. 118, W. Dept., June 27, 1865.

G. O. No. 1, Dept. Ala., July 18, 1865.

G. O. No. 1, Dist. Ala., June 4, 1866.

G. O. No. 1, Dept. Tenn., Aug. 13, 1866.

G. O. No. 42, Dept. Tenn., Nov. 1, 1866.

The general and special orders cited in this paper are on file in the War Department at Washington. I consulted the original copies.

(2) O. R. Series I, Vol. 49, pt. II, pp. 505, 560, 826, 971, 727, 854.

(3) Report of the Joint Committee on Reconstruction, Pt. III.

(4) Miller, Alabama, 236; Acts of Alabama (1865-1866) 508, 601.

ruled as supreme as the Czar of all the Russias. He was the first and last authority on most of the affairs of the community. So far as the people could see, there was no check on his powers.

Early in the summer each city and its surrounding territory was formed into a military district under the command of a general officer, who was subject to the orders of General Woods at Mobile. There were the districts of Mobile, Montgomery, Talladega and Huntsville—each with a dozen or more counties attached. Then there were isolated posts in each. The district was governed by the rules applying to a "separate brigade" in the army (1). The different posts, districts and departments were formed, discontinued, reorganized with lightning rapidity. Hardly a single day passed without some kind of a change necessitated by the resignation or muster out of officers or troops. Commanding officers stayed a few days or a few weeks at a post, and were relieved or discharged. Many of the officers spent much of their time pulling wires to keep from being mustered out. Others resigned as soon as their resignation would be accepted. Few or none had any adequate knowledge of conditions in their own districts, nor was it possible for them to acquire a knowledge of affairs in the short time they remained at any one post.

After the establishment of the provisional government the army was supposed to retire more into the background, leaving ordinary matters of administration to the civil government. This it did not do, but constantly interfered in all affairs of government. The army officers cannot be blamed for their constant meddling with the civil administration, for the President did the same and seemed to have little confidence in the governments he had erected, though he gave good accounts of them to Congress.

Then, also, army officers were serving two commanders and a third seemed about to appear. The general-in-chief issued some orders, the President issued others which were in con-

(1) That is, the officers had the privileges and authority of officers of a division.

G. O. Nos. 1, 9, 17, 29, 54, Dept. Ala., 1865.

G. O. No. 1, Mil. Div. Tenn., 1865.

flict with the former orders of Grant. Congress was about to assume control of the army. Politics divided and demoralized the army as well as the administration. It was simply impossible for the ordinary officer to see any consistent course to follow. The wrangles at Washington confused them as to the proper policy to pursue.

In August, 1865, the military commander published the President's Amnesty Proclamation of May 29, 1865, and sent officers to each county to administer the oath (1). Instructions were given that "no improper persons are to be permitted to take the oath" (2). The oath was to be signed in triplicate, one copy for the Department of State, one for military headquarters, and one for the party taking the oath. Regulations were prescribed for making special applications for pardon by those excepted under the Amnesty Proclamation. There were 120 stations in the State where officials administered the oath of amnesty (3). The authorities gave the term "improper persons" a broad construction and excluded many who applied to take the oath. The various officers differed greatly in their enforcement of the regulations. Special applications for pardon had to go through military channels, and that meant delays of weeks or months; so, after civil officials were appointed in Alabama, "improper persons" took the oath before them, and then their papers were sent at once to Washington for the attention of the President. There was some scandal about the Provisional Secretary of State accepting reward for pushing certain applications for pardon. But there was no need to use influence, for the President pardoned all who applied.

Soon after Parsons was appointed provisional governor, an order stated that the United States forces would be used to assist in the restoration of order and civil law throughout the State and would act in support of the civil authorities as soon

(1) The "Amnesty Oath." The oath of allegiance had already been administered to all who would take it. See McPherson, *Reconstruction*, 9, 10.

(2) Fourteen classes of persons were excluded from the benefits of the Amnesty Proclamation. These could secure pardon by special application to the President.

(3) G. O. No. 13 and 14, Dept. Ala., 1865.

as the latter were appointed and qualified. The military authorities were instructed to avoid as far as possible any assumption or exercise of the functions of civil tribunals. No arrest or imprisonment for debt was to be made or allowed, and depredations by United States troops upon private property were to be repressed. (1)

As acting agents of the Freeman's Bureau, the army officers had to do with all that concerned the negroes, but some times, in a different capacity, they issued regulations concerning the colored race. It is difficult to distinguish between their actions as Bureau agents and as army officers. On the whole, it seems that each officer of the army considered himself ex-officio an acting agent of the Bureau.

Soon after the occupation of Montgomery, an order was issued to the effect that negroes were not to be permitted to occupy houses in the city without the consent of the owner. They had to vacate unless they could get permission. Negroes in rightful possession had to show certificates to that effect from the owner. All unemployed negroes were advised to go to work, as the United States would not support them in idleness (2). This order was intended to discourage the tendency of the negro population to follow the army and camp in the towns where garrisons were placed. The first troops to arrive were almost smothered by the welcoming blacks, who were disposed to depend upon the army for maintenance. The officers were at first almost terrified at the great crowds of blacks who swarmed around them and tried hard for a time to induce them to go back home to work. Their efforts were successful in some instances, but not often.

In view of the fact that the posts and garrisons were the gathering places of great numbers of unemployed blacks, an order, issued in August, 1865, instructed the commanders of

(1) G. O. No. 3. Dept. Ala., July 21, 1865. There was much complaint about the stealing of cotton by troops.

(2) G. O. No. 6, Post of Montgomery, May 15, 1865. This order is printed on thin, blue Confederate writing paper, which seems to have been shaped with scissors to the proper size. Supplies had not followed the army.

posts and garrisons to prohibit the loitering of negroes around the posts and to discourage the indolence of the blacks. (1)

In Mobile some kind of a civil government must have been set up under the direction of the military authorities, for we hear of an order issued by General Andrews that in all courts and judicial proceedings in the District of Mobile the negro should have the same standing as whites (2). These may have been Bureau courts.

It was represented to the military commander that the negroes of Alabama had aided the Federals in April and May, 1865, by bringing into the lines, or by destroying, stock, provisions and property that would aid the Confederacy and that they were now being arrested by the officers of the provisional government for larceny and arson. It was ordered that the civil authorities be prohibited from arresting, trying or imprisoning any negro for any offense committed before the surrender of Taylor (3) except by permission of military headquarters or of the Assistant Commissioner of the Freedmen's Bureau (4). When the Federal armies passed through the State in April and May, 1865, hundreds, perhaps thousands, of negroes had seized the farm stock and followed the army, for a few days at least. There was more of this seizure of property by negroes after garrisons were stationed in the towns. The order was so construed that practically no negro could be arrested for stealing when he was setting out for town and the Bureau. A few weeks before the order was issued, Woods stated: "I do not interfere with civil affairs at all unless called upon by the governor of the State to assist the civil authorities" (5).

The most terrible stories of cruel treatment of the negroes were brought to Woods by the Bureau officials, and he sent detachments of soldiers to investigate the reports. Nothing was done except to march through the country and frighten

(1) G. O. No. 24, Dept. of Ala., Aug. 25, 1865.

(2) G. O. No. 6, Post of Mobile, in N. Y. Daily News, June 27, 1865.

(3) Taylor surrendered on May 4, 1865.

(4) G. O. No. 48, Dept. Ala., Oct. 18, 1865.

(5) Statement of Gen. Woods, Sept. 4, 1865, document No. 11, accompanying the report of Schurz.

the timid by a display of armed force, which was evidently all the agents wanted. One detachment scoured the counties of Clarke, Marengo, Washington and Choctaw, investigating the lying reports of the agents. (1)

The commanding officers at some posts authorized militia officers under the provisional government to disarm the freedmen when outbreaks were threatened. This coming to the knowledge of General Swayne, he ordered that no authority be delegated by officers to civilians for dealing with freedmen, but that such cases be referred to the assistant commissioner of the Freedmen's Bureau (2).

There had been great fear among some classes of people that the negroes would engage in plots to massacre the whites and secure possession of the property, which they were assured by negro soldiers and Bureau agents the government meant them to have. About Christmas, 1865, the fear was greatest. For six months the blacks had been eagerly striving to get possession of firearms. The soldiers and speculators made it easy for them to obtain them. In Russell County \$3,000 worth of new Spencer rifles were found hidden in negro cabins (3). There were few firearms among the whites, for all had been used in war and were seized by the United States government. Some feared the negroes were preparing for an uprising, but it is more probable that they merely wanted guns as a mark of freedom. The purchase of firearms by whites was discouraged. The sale of arms and ammunition into the interior was forbidden, but speculators managed to sell both. General Smith, at Mobile, had one of them—Dieterich—arrested and confined in the military prison at Mobile (4). The Mobile Daily Register was warned that it must not print articles about impending negro insurrections (5), a very good regulation, but the violent negro sheet in Mobile was not noticed. It was a cause of excitement among the blacks.

In the fall of 1866 it was reported to the Secretary of State,

(1) See statement of Woods, Sept. 4, 1865.

(2) G. O. No. 4, Jan. 26, 1866, Dept. Ala.

(3) N. Y. Daily News, Sept. 7, 1865.

(4) Statement of Gen. T. K. Smith, Sept. 14, 1865, in Schurz report.

(5) Statement of General Woods, Sept. 4, 1865.

Mr. Seward, by some friend of the blacks that negroes were being induced to go to Peru on promise of higher wages. Seward induced Howard, the commissioner of the Freedmen's Bureau, to have the Bureau annul or disapprove all contracts of freedmen to go beyond the limits of the United States. General Swayne, who was now both assistant commissioner and military commander, was directed to enforce Howard's order in Alabama. (1)

All commerce and traffic had to go on by permission and under the regulations of the military authorities. General Wood forbade the planters to remove cotton from plantations and warehouses (2). Later, cotton and other farm produce could be shipped under the same regulations as before the war, but subject to the tax of 25 per cent imposed by the treasury department (3).

Before this, cotton was smuggled past the military authorities and treasury agents. It cost \$25 a bale to get cotton to Mobile from up the rivers (4).

Detachments of soldiers were sent out with treasury agents and cotton spies to search for cotton and protect the cotton agents when they seized it. There were several conflicts between the soldiers and citizens over the confiscation of cotton. There was much complaint by the citizens that some of the officers and soldiers were engaged in looting the plantations of the Black Belt (5).

It was ordered that civilians guilty of stealing government cotton should be punished, after trial by military commission, according to the statutes of Alabama in force before the war. (6). General Woods stated at the same time that he had in-

(1) G. O. No. 5, Sub. Dist. Ala., Oct. 13, 1866.

(2) N. Y. Herald, Aug. 26, 1865.

(3) G. O. No. 26, Dept. Ala., Aug. 29, 1865. See McPherson, Reconstruction, 9.

(4) N. Y. Daily News, Aug. 21, 1865.

(5) See letter of F. S. Lyon in report of the Joint Committee on Affairs in the Late Insurrectionary States, and testimony of Lyon and Herr in the testimony relating to Alabama. Also testimony of Col. Hunter Brooke in the report of the Joint Committee on Reconstruction, pt. III, 113-116.

(6) G. O. No. 30, Dept. of Ala., Sept. 4, 1865.

structions from General Thomas to try all cases of stealing government property by military commission, on account of the failure of the civil authorities to prosecute such cases. (1)

Thomas C. A. Dexter, bonded agent of the U. S. Treasury, was indicted by the United States grand jury for stealing cotton. Dexter was arrested by General Woods, and his counsel sued out a writ of habeas corpus before Busted, the Federal judge. The writ was served on General Woods and Colonel Hunter Brooke, who presided over the military commission. The officers declined to obey, saying that a military commission had been convened to try Dexter, and that no interference of the civil authorities would be permitted. Busted ordered Dexter to be discharged and Woods to appear before him and show why he should not be prosecuted for contempt of court. Woods paid no attention to this order and Busted sent the United States marshal to arrest him. The marshal reported that he was unable to get into the presence of Woods because the military guard was instructed not to allow him to pass. Woods sent a message to Busted that the writ had not been restored in Alabama. Busted made a protest to the President and asserted that the trial could not lawfully proceed except in the civil courts. President Johnson sustained the course of General Woods and thereby gave a blow to his pet government, for Busted at once adjourned his court—the only Federal court in the state. The sentiment of the people was with Busted in spite of his own notorious character and that of the defendant. All wanted the civil government to take charge of affairs (2).

Several cases were tried by military commission before the reconstruction acts were passed in 1867. Many cases do not appear in the records. No records have been found of the cases tried by summary courts in the summer of 1865. A partial list of the cases, with charges and sentences are given here:

Wilson H. Gordon (1), civilian, murder of negro, May 14, 1865. Convicted.

(1) Statement, Sept. 4, 1865, Schurz report.

(2) N. Y. Herald, Nov. 26 and Dec. 15, 1865.

N. Y. News, Dec. 7, 1865.

N. Y. Times, Nov. 27, 1865.

Samuel Smiley (1), civilian, murder of negro, 1865. Acquitted.

T. J. Carver (2), cotton agent, stealing cotton. Fined \$90,000 and one year's imprisonment.

T. C. A. Dexter (3), cotton agent, stealing cotton (3,321 bales) and selling appointment of cotton agent to Carver for \$25,000. Fined \$250,000 and imprisonment for one year.

William Ludlow (4), civilian, stealing United States stock. Four years' imprisonment.

L. J. Britton (5), civilian, guerrilla warfare and robbery. Fined \$5,000 and imprisonment for ten years. (Fine remitted by reviewing officer.)

George M. Cunningham (6), late Second Lieutenant 47th Ill. Vol. Inf., stealing government stores. Fined \$500.

John C. Richardson (7), civilian, guerilla warfare and robbery. Imprisonment for ten years.

Owen McLarney (7), civilian. assault on soldier. Acquitted.

Wm. B. Rowls (7), civilian, guerilla warfare and robbery. Imprisonment for ten years.

Samuel Beckham (7), civilian, receiving stolen property. Imprisonment for three years.

John Johnson (8), civilian, robbery and pretending to be United States officer. Fined \$100, "to be appropriated to the use of the Freedmen's Bureau."

Abraham Harper (8), civilian, robbery and pretending to be United States officer. Fined \$100, "to be appropriated to the use of the Freedmen's Bureau."

Most of the civilians tried by the military commissions were camp followers and discharged soldiers of the United States army. Those charged with guerilla warfare were unjustly tried, since they had been regularly enlisted Confederate soldiers and were accused by the tory element who were guilty of most of the guerilla warfare. It was impossible to punish

(1) Document No. 19, accompanying Schurz's report.

(2) G. O. No. 55, Dept. Ala., Oct. 30, 1865.

(3) G. O. No. 8, Dept. Ala., Feb. 17, 1866.

(4) G. O. No. 1, Dept. Ala., Jan. 5, 1866.

(5) G. O. No. 13, Dept. Ala., 1866.

(6) G. O. No. 17, Dept. Ala., 1866.

(7) G. O. No. 20, Dept. Ala., 1866.

(8) G. O. No. 23, Dept. Ala., 1866.

There were other trials, but the records are missing and the names of the parties are unknown.

A large number of cases were prosecuted before military commissions convened at the instance of the Freedmen's Bureau.

outlaws for any depredations committed during the war and for several months after the surrender if they would claim to be "loyalists," which they usually did. The civil authorities were forbidden to arrest, try and imprison discharged soldiers of the United States army for acts committed while in service. (1) A similar order withdrew all "loyal" persons from the jurisdiction of the civil courts so far as concerned actions during or growing out of the war (2). The negroes had already been withdrawn from the authority of the civil court so far as similar offenses were concerned (3).

The clergy of the Episcopal Church refused to pray for the President of the United States, no such prayer being provided for, and Bishop Wilmer refused to order such a prayer, as he had the power to do, while the state was ruled by the army. For this offense the bishop and all the clergy of the state were suspended and forbidden to preach or perform service of any kind, and the churches were closed for several months until the President was induced to interfere and direct Thomas to revoke the orders closing the churches and suspending the clergy (4).

Upon the complaint of United States officials collecting taxes and revenues of the refusal of individuals to pay, the military commanders over the state were ordered to arrest and try by military commission all persons refusing or neglecting "to pay these just dues" (5).

Numerous complaints of arbitrary arrests and of the unwarranted seizure of private property called forth an order from Thomas which directed that the persons and property of all citizens must be respected. There was to be no inter-

(1) G. O. No. 29, Mil. Div. of the Tenn., Sept. 21, 1865.

G. O. No. 42, Dept. Ala., Sept. 26, 1865.

(2) G. O. No. 3, H. Q. A., Jan. 12, 1866.

G. O. No. 7, Dept. Ala., Feb. 12, 1866.

(3) G. O. No. 48, Dept. Ala., Oct. 18, 1865.

(4) G. O. No. 38, Dept. Ala., Sept. 20, 1865.

G. O. No. 40, Mil. Div. of the Tenn., Dec. 22, 1865.

G. O. No. 2, Dept. Ala., Jan. 10, 1866.

See Gulf States Hist. Magazine, September, 1902.

(5) G. O. No. 6, Feb. 21, 1866, Mil. Div. of the Tenn. The cotton tax of three cents a pound was the most obnoxious one.

ference with or arrests of any citizen unless upon proper authority from the district commander, and then only after well supported complaint. (1)

The local military authorities were directed to arrest all persons who had been or might be charged with offenses against officers, agents, citizens and inhabitants of the United States, in cases where the civil authorities had failed, neglected or been unable to bring the offending parties to trial. Persons so arrested were to be confined by the military until a proper tribunal might be ready and willing to try them (2). This was another one of many blows at the civil government permitted by the President. It allowed the army to judge for itself as to when it should interfere.

These are the more important orders issued by the military authority relating to public affairs in Alabama during the existence of the provisional or "Johnson" state government. It will be seen from the scope of the orders that the local military officials had the power of constant interference with the civil government. A large part of the population was withdrawn from the jurisdiction of the civil administration. The officials of the latter had no real power, for they were subject to frequent reproof and their proceedings to frequent revision by the army officers. Both Governor Parsons and Governor Patton wanted the army removed, confident that the civil government, if let alone, could do better than both together. Parsons appealed to Johnson to remove the army and stop its interference (3). He complained that the military officials had caused and were still causing much injustice by deciding grave questions of law and equity upon *ex parte* statements. Personal rights were subject to captious and uncertain regulations. The tenure of property was uncertain (4), and citizens felt inse-

(1) G. O. No. 25, Mil. Div Tenn., Sept. 13, 1865.

(2) G. O. No. 44, H. Q. A., July 6, 1866.

G. O. No. 13, Dept. of the South, July 21, 1866.

(3) Sen. Ex. Doc. No. 26, 39 Cong., 1 Session.

(4) A military commission at Huntsville, acting under direction of General Thomas, had assumed to decide questions of title to property, and in one case, a widow was alleged to have been turned out of her home. P. M. Doc. to Governor Parsons, Sen. Ex. Doc. No. 26, 39 Cong., 1 Sess.

cure when the army decided complicated cases of title to land and questions of public morals. The citizens, he said, were indignant because the military authorities had issued licenses for the sale of liquor, and had permitted prostitution by licensing houses of ill repute (1).

The restaurant of Joiner & Co., at Stevenson, was closed by order of the post commander because two negro soldiers were refused the privilege of dining at the regular table (2). Admiral Semmes, after pardon by the president, was elected mayor of Mobile, but the President interfered and refused to allow him to serve. Many arrests and many more investigations were made at the instigation of the tory or "Union" element, and on charges made by negroes, who spent much of their time confessing the sins of their white neighbors. But most of the arrests for minor causes was done by the Freedmen's Bureau, and not by the army, though, as has been stated, it is hard to separate the two (3).

The white volunteers were early mustered out, leaving only a few regulars and several regiments of negro troops to garrison of the country (4). These negro troops were a source of much disorder among the blacks, and were under slack discipline. Outrages and robberies by them were of frequent occurrence. There was much ill feeling between the white and the black troops. Even when the freedmen utterly refused to go to work, they behaved well, as a rule, except where negro

(1) Circular No. 1, Dist. of Montgomery, Sept. 9, 1865, required that all public women must register at the office of the provost marshal; that each head of disorderly house must pay a license tax of \$25 a week in addition to \$5 a week for each inmate, and that medical inspection should be provided for by military authority. In case of violation of these regulations a fine of \$100 would be imposed for each offense, and ten to thirty days' imprisonment.

(2) Selma Times, Feb. 3, 1866.

(3) There were really three governments in Alabama based on the war powers of the President: (1) The army ruling through its commanders; (2) the Freedmen's Bureau, with its agents; (3) the provisional civil government.

With the great mass of people the most and only effective government was the invisible one of public opinion.

(4) Circular No. 1, August —, 1865.

G. O. No. 21, Dept. Ala., April 9, 1866.

troops were stationed. There is no reason to believe that it was not more the fault of the white officers than of the black soldiers. Blacks as soldiers are amenable to discipline when they have respectable officers. Truman reported to the president that the negro troops should be removed because "to a great extent they incite the freedmen to deeds of violence and encourage them in idleness" (1). The white troops, most of them regulars, behaved better, so far as their relations with the citizens were concerned. The general officers were as a rule gentlemen, generous and considerate. So much so, that some rabid newspaper correspondents complained because the West Pointers treated the Southerners with too much consideration. (2). In the larger posts discipline was fairly good, but at small, detached posts and under certain circumstances the soldiers, usually, but not always, the black ones, were a scourge to the country. They ravaged the country almost as badly as during the war (3). The numerous reports of General Swayne show that there was no necessity for garrisons in the state. He wanted, he said, a small body of cavalry to catch fugitives from justice, not a force to overcome opposition. The presence of the larger forces of infantry created a great deal of disorder. The soldiers were not amenable to civil law, there were no refining restraints of home, and discipline was relaxed (4).

Of the subordinate officers some were good and some were not, and the latter, when away from the control of their superior

(1) DeBow, Review, 1866. DeBow made a trip through the South. Nation, October 5 and 26, 1865.

Truman, report to President, April 9, 1866. See also Grant, Letter to President, Dec. 18, 1865.

(2) Colonel Herbert says that the relations between the soldiers and the ex-Confederates were very kindly. They hoped the army would soon be removed, when civil government was established—*Solid South*, 30.

(3) Miller, Ala., 242.

Reso. Leg., Jan. 16, 1866.

(4) Testimony of Swayne, Report Joint Com., 1866, Pt. III, 139.

Various reports of Swayne as Asst. Com. of Freedmen's Bureau. It was noticeable that when Swayne was placed in command of the army in the state there was less interference and better order than before, though he never obtained the cavalry.

officers and leading lawless men, ravaged the back country and acted like brigands. For ten years after the war the general orders of the various military districts, departments and divisions are filled with orders publishing the results of court martial proceedings, which show the demoralization of the class of soldiers who remained in the army after the war. The best men clamored for their discharge when the war ended and went home. The more lawless men remained, for whom life in garrison in time of peace was too tame, and all sorts of disorder resulted. Finally "Benzine" boards had to take hold of the matter, and men who had done good service during the war were discharged by wholesale because they were unable to submit to discipline in time of peace.

The rule of the army might have been better, especially in 1865, had there not been so many changes of local and district commanders and headquarters. Some counties remained in the same military jurisdiction a month or two, others a week or two, several for two or three days only. The people did not know how to proceed in order to get military justice. Orders were issued that business must proceed through military channels. This cut off the citizen from personal appeal to headquarters, unless he were a man of much influence. Often it was difficult to ascertain just what military channels were. Headquarters and commanders often changed before an application or a petition reached its destination. (1)

The President deserved to fail with his plan of restoration because he showed so little confidence in the government he had established. He was constantly interfering on the slightest pretexts. He asked Congress to admit the States into the Union and said that order was restored and the State governments in good running order, while at the same time he had not restored the writ of habeas corpus, had not proclaimed the rebellion at an end, and was in the habit of allowing and directing the interference of the army in the gravest questions that confronted the civil government. In this way he discredited his own work, even in the eyes of those who wished it to

(1) For instance: In the city of Mobile a petition of some kind might be made out in proper form and given to the commander of the Post of Mobile. The latter would endorse it with his approval or dis-

succeed. His intentions were good, but his judgment was certainly at fault.

The army authorities went on in their accustomed way until Swayne was placed in command, June 1, 1866, when a more sensible policy was inaugurated. Yet the civil administration was still subordinate to the military, though there was less friction. Swayne aspired rather to control the governor and legislature by advice and demands than to rule through the army. There were few soldiers in the state after the summer of 1866. Order was good, except for the disturbing influence of negro troops and individual Bureau agents. There were in remote districts outbreaks of lawlessness which neither the army nor the state government could suppress. The infantry could not chase outlaws; the state government was too weak to enforce its orders or to command respect as long as the army should stay. At their best the army and the civil administration neutralized the efforts and paralyzed the energies of each other. There were two governments side by side, the authority of each overlapping that of the other completely (1). The

approval and send it to the commander of the District of Mobile, who likewise forwarded it with his endorsement to the commander of the Department of Alabama at Mobile or Montgomery. In important cases the paper had to go on until it reached headquarters in Macon, Nashville, Louisville, Atlanta or Washington, and it had to return the same way.

The following orders relate to the changes made so often:

G. O. Nos. 1, 9, 10, 12, 17, 19, 20, 27, of the Dept. of Ala., from July 18 to Sept. 1, 1865.

G. O. No. 18, Dept. Ala., March 30, 1866.

G. O. No. 1, Dist. Ala., June 1, 1866.

G. O. No. 1, Sub-dis. Ala., Oct. —, 1866.

G. O. No. 1, Mil. Div. of the Tenn., June 20, 1865.

G. O. Nos. 1 and 42, Dept. of the Tenn., Aug. 13 and Nov. 1, 1866.

G. O. No. 1, Dept. of the South, June 1, 1866.

G. O. No. 1, Dept. of the Gulf, —, 1865.

G. O. No. 1, Dist. of the Chattahoochee, Aug. —, 1866.

There were numerous general orders from local headquarters of the same nature. See also Van Horne, *Life of Thomas*, 153, 399, 400, 418, and Sen. Ex. Docs. No. 13, 38 Cong. 2 Sess.

(1) The Freedmen's Bureau was a third government, with fewer and better defined powers but more inclined to use them.

result was that the people governed themselves, so far as there was government.

On the 28th of March, 1867, the policy of Johnson came to its logical end in failure. The order was issued by General Grant which overturned the civil government established by the president. In Alabama, which was to form a part of the Third Military District, all elections for state and county officials were disallowed until the arrival of the commander of the district. All persons elected to office during the month of March (after the passage of the reconstruction acts) were ordered to report to military headquarters for the action of the new military governor. (1) Military government then entered into a new phase.

(1) G. O. No. 1 Sub-dis. Ala., March 28, 1867.

CREEK WAR.

REPORT OF M. C. ROGERS.

(From the Collection of N. B. Hyder, Esq., Elizabethton, Tenn.)

Vicinity of Fort Montgomery, Dec. 21, 1814.

SIR: I have just this moment arrived from the scout that you ordered to be taken. I have vigilantly reconnoitered the road from here to the headwaters of Escampia, and have made no discoveries of the enemy or their sign.

The only intelligence I am in possession of is, that Major Blue and his army was nine miles above Pensacola on the 18th inst. on the other side of Yellowwater Bay—had killed three or four Indians—had made sixty Indian prisoners on the other side of the bay, and had been in Pensacola and had taken eight more of the red sticks. This intelligence I received of two men that were furloughed from Major Blue's and were going on to Fort Jackson. I am respectfully your

Obt. Hle., Srvt.,

MICAHAH C. ROGERS.

SOME FRANKLIN DOCUMENTS.

(From the Collection of R. H. Crockett, Esq., Franklin, Tenn.)

State of Franklin. To the Sheriff of Greene County.

We command you to take the body of Amos Bird, Esq., and him safely keep so that you have him before some one of the justices of our peace for our said county then and there to enter into recognizance to us our heirs and successors with condition to appear at our next Court of Pleas and quarter sessions to be held for said county on the second Monday in November next then and there to abide by the judgment of our said court. Herein fail not and have you then there this writ. Witness Daniel Kennedy clerk for said court at office the second Monday in August, 1785, and tenth year of American Independence.

DAN KENNEDY, C. C.

[Endorsed.]

Ca. on presentment.

The State

vs.

Amos Bird, Esq.,

To February,

Term, 1786.

Issued 25th August, 1785.

Not found, Richard Woods.

Executed per Richard Woods.

Bound before Joseph Harden, Esq.

State of Franklin. To the Sheriff of Greene County. Greeting:

We command you to summon George Hayworth to appear at our next Court of Pleas, etc., to be held for the County of Greene at the court house in said county on the second Monday in November, next, then and there to testify and the truth to say in behalf of the State in a certain matter of controversy in our said court depending and then and there to be tried between the State plaintiff and Amos Bird defendant and this he shall in

nowise omit under penalty of fifty pounds specie. Witness Daniel Kennedy clerk of our said court at office the second Monday in August, 1785, and tenth year of American Independence.

DAN KENNEDY, C. C.

[Endorsed.]

Subpoena.

The State

vs.

Amos Bird.

Summon

Geo. Hayworth,

to

February term, 1786.

Issued 29th August, 1785.

Not found, Richard Woods.

Executed, Richard Woods.

THOMAS EMMERSON—THE FIRST MAYOR OF
KNOXVILLE.

BY HENRY FRANCIS BEAUMONT,

The nucleus of the city of Knoxville was established in 1786 by Colonel James White when he built a log cabin between what are now Union and Commerce avenues, and in 1792 the county of which Knoxville is the capital was formed from parts of the earlier established counties of Greene and Hawkins, the new county being christened Knox, in honor of General Henry Knox, Secretary of War in President Washington's cabinet. The building of a town where Knoxville now stands was immediately begun and that it has been executed, with a greater degree of success than ordinarily attained by man, is shown by the city of to-day—the Marble City of the South

Who will have the audacity to deny, in the light of the city's present prosperity, that the pioneers of Knoxville and the men trained in the same school, who followed in their footsteps and controlled the city in its early days, are due a great deal of credit for having ruled so wisely and so well as to make the development of to-day possible? The preliminary events of the city's history are all engraven in type. The corporate existence of the city, only once broken afterwards, begins with the gubernatorial incumbency of Joseph McMinn, who is now buried at Calhoun, McMinn County, on October 27th, 1815, an act being passed by the State legislature incorporating the inhabitants of "the town of Knoxville," and about three months later the first meeting of the seven aldermen, including Thomas Emmerson, James Dardis, Thomas McCorry, Rufus Morgan, James Park, Thomas W. Humes and John M. Cullen, constituting the first board of city councillors, was held on January 13, 1816.

James Park, who was himself the second mayor of the city, was a justice of the peace and he swore in the six other members of the first board, James Dardis later administering the

oath to 'Squire Park. At the subsequent election held by the board, Thomas Emmerson, whose name is often incorrectly spelled "Emerson," was chosen mayor, John M. Cullen was appointed treasurer, Anderson Hutchinson recorder and David Nelson "high constable."

On the twentieth of the succeeding February it was decided to erect a city market and Rufus Morgan, James Dardis and Thomas W. Humes, author of "The Loyal Mountaineers of Tennessee," and afterward president of the University of Tennessee, were appointed a committee of three to contract for and superintend its construction, the structure to be eighteen feet wide and twenty-six feet long. Thursdays and Saturdays of each week were set apart as "market days," and the city market was completed and thrown open for their observance the following December. This structure stood until 1823, when it was sold and demolished, on Main avenue, between Prince and Walnut, though in those days Main was called Market avenue, and Walnut went by the name of Crooked street.

In the same year, 1816, a board of tax assessors was devised, and William Park, Calvin Morgan and John Crozier were appointed upon it, their duties to be the creation of funds for the work of the city. The tax on real estate was set at .0025 by this board and other city licenses were set as follows:

Tippling license, \$5.

Retail Merchandise, \$5.

Billiard rooms license, \$20.

Poll tax, \$1.

This poll tax was for "both white and slave polls, \$1 each."

With the proceeds from these and other assessments in June, 1817, \$340 was appropriated for street improvements, "\$120 to be expended on Cumberland avenue, \$80 on State street, \$60 on Water street," now Hill avenue, "and the remaining \$80 on less important thoroughfares." At that time the city had no fire department of any kind and the water which the citizens used was obtained from near-by springs and creeks by pails and buckets.

Where Thomas Emmerson, the first mayor of Knoxville, was born, does not seem to be known in this latter day, though that he was an extraordinary character is well borne out by

what is known of him. In the short time in which he resided in this city, for he was not raised in Knoxville and did not long remain there after he retired from the Supreme Court in 1822, he left an indelible impression on the annals of this city, as a lawyer and judge, as a business man and one of scholarly attainments and culture and as a man with broad and liberal views on educational matters.

That he was a judge of the superior court of the State previous to his term as mayor attests the statement that he was a man of high character and standing and of matured mind when he assumed the municipal office. Edward Terry Sanford, in his pamphlet upon "The Presidents and Trustees of the University of Tennessee," says that even previous to his position upon the bench of the superior court he had been elected a charter trustee of East Tennessee College, the predecessor of the present University of Tennessee, and at that time the immediate successor to Blount College. This was in 1807, when Judge Emmerson had as his associates on the charter board of trustees of the institution some of the most prominent men in the State's history.

The full board was composed of:

From Hawkins County, Richard Mitchell and Andrew Galbreath; from Sullivan County, John Rhea and James King; Greene, Augustus P. Fore and John Gass; Washington, Matthew Stephenson and John Kennedy; Carter, George Duffield; Jefferson, James Rice and Joseph Hamilton; Grainger, John Cocke and Major Lea; Cocke, Alexander Smith; Sevier, Hopkins Lacy; Blount, Joseph B. Lapsley and Dr. Robert Gaut; Claiborne, William Graham; Anderson, Arthur Crozier; Roane, Thomas I. Van Dyke; Knox, George Washington Campbell, John Sevier and Thomas Emmerson, twenty-three in the above, with an additional seven, selected from the close vicinity of the institution for obvious reasons, the latter seven including Archibald Roane, the second governor of Tennessee, John Crozier, John Williams, Francis Ramsey, David Deaderick, who was afterwards associated with Judge Emmerson at Jonesboro, John Lowry and George Doherty.

This list of Judge Emmerson's associates is of biographical value itself because first it proves by its personnel that Judge

Emmerson, the first mayor of Knoxville, was a man of recognized ability; it also establishes his residence at that time as being in Knox County and conveys interesting information as to the earlier management of the most famous educational institution in Tennessee. This and other similar incidents which follow prove that Judge Emmerson was not only a man actively interested in educational matters, but was a scholar himself of broad learning.

He was appointed a trustee of East Tennessee College in 1807, the same year being appointed a judge of the State superior court and serving until 1809 in that capacity. Without exception those Tennesseans who served upon the bench of this court prior to its abolition by an act which authorized the formation of the State Supreme Court of Errors and Appeals, passed on November 16, 1809, are among the most noted men in the history of the Volunteer State. Hon. David Campbell served from 1797 to 1807; Hon. Andrew Jackson, "Old Hickory," from 1798 to 1804; Hugh Lawson White from 1801 to 1807; and contemporaneously with Hon. Thomas Emmerson served Parry W. Humphreys, 1807 to 1809; Hon. Samuel Powell, 1807 to 1809, and Hon. John Overton, first mayor of Memphis, 1804 to 1809, again establishing Emmerson's character and public standing by his associates in public life.

Thomas Emmerson was secretary of the East Tennessee College from 1812 to 1820, a period of eight years, and in 1811 he became a trustee of Hampden-Sidney Academy of Knox County. He was a charter trustee of the Knoxville Female Academy in the same year and was one of the commissioners appointed to superintend subscriptions to the Bank of Knoxville in 1811. This "Bank of Knoxville," as Edward Terry Sanford calls it, in his pamphlet on the university, was in reality the first bank established in Knoxville, known as the Bank of Tennessee and chartered as "The Bank of the State of Tennessee" on November 11, 1811.

"Its charter provided that the capital stock of the company should not exceed \$400,000, the shares to be \$50 each. Subscriptions were opened in Knoxville on January 1, 1812, and also in Anderson, Blount, Carter, Campbell, Claiborne, Cocke, Blodgett, Grainger, Hawkins, Jefferson, Greene, Rhea, Roane,

Sullivan and Washington Counties. To each of these counties 440 shares were allotted and the State became a shareholder to the extent of \$20,000, reserving the right to withdraw at the end of ten years. The subscriptions were payable either in scrip or in gold and were divided into eight annual installments," says Captain Wm. Rule, editor of the Journal Tribune, in his "History of Knoxville."

Upon the receipt of \$25,000 from these subscriptions the stockholders met in Knoxville and organized, electing a full board of officials, with the exception of one director, who was appointed by the State to guard its interests. This director was Thomas Emmerson. Hugh Lawson White was elected president and Luke Lea cashier, while the first board of directors was composed of Emmerson, John Crozier, James Park, David Campbell, Calvin Morgan, John Hillsman, Robert King and James Dardis, two of whom, James Dardis and James Park, were associate members of the first city council with Judge Emmerson. This institution, the bank, closed its existence in 1828.

During his term of mayor of Knoxville, from 1816 to 1818, Judge Emmerson was also serving as judge of the First Circuit Court, and from the year following his retirement from the municipal office, 1819, to 1822, he was a judge of the Supreme Court.

A unique distinction bestowed upon him is that he and David A. Deaderick, after he had returned to Jonesboro, introduced the first cast iron plow into East Tennessee, in 1825, his time evidently being given to some extent to agricultural pursuits in the neighborhood of Jonesboro. From 1833 to 1837 he is next heard of as editor of the *Washington Republican and Farmers' Journal*, published at Jonesboro, the first town organized in Tennessee, during the first three years of this enterprise having Hon. S. W. J. Lucky, who was afterward, from 1845 to 1847, judge of the Circuit Court, associated with him as business manager.

Judge Emmerson's career closed at Jonesboro and there he is buried, though the date of his death is not known. From a picture of Judge Emmerson printed in Crozier's "Directory of Knoxville" for 1891-2, which contains a number of portraits

of the mayors of Knoxville, it is evident that Judge Emmerson was a man of as fine physical carriage as of mental character. This picture, possibly the only one in existence, shows him to have been a man of large build, with honest and penetrating eyes, set beneath a prominent brow, the lines of his mouth and chin betokening strength and firmness of mind and character, while his apparel warrants the assertion that his taste was equal to that of any other prominent man of that time.

Judge Emmerson was succeeded in the mayoralty office by Hon. James Park, father of Rev. James Park, the Nestor of Knoxville preachers, who had not only been associated with him for several years as charter trustee of Hampden-Sidney and the Knoxville Female Academy, appointed in 1811, but also a member of the first town council. There is little doubt but that Judge Emmerson retired with complaisance from his municipal duties, as he not only anticipated his appointment to the supreme bench, which came the following year, but he also felt that he had left the helm of Knoxville's affairs in the hands of a man who was capable of executing its duties with exactness and ability.

Where was he born? Who were his parents? Where was he educated? What other things did he accomplish before he retired to newspaper work at Jonesboro, and when did his death occur? All are questions the answers to which will be read with interest. That this imperfect sketch of "The First Mayor of Knoxville City" may have the effect of obtaining the answers suggested is my hope.

TENNESSEE HISTORICAL SOCIETY.

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[Memoranda of the Transactions of the Tennessee Historical Society.]

Tuesday, January 13, 1903.

The Society met pursuant to adjournment. Present, Vice President Gates P. Thruston, presiding, Secretary A. V. Goodpasture, Corresponding Secretary Robt. T. Quarles and Treasurer Jos. S. Carels.

The records of the December meeting were read and approved.

Captain W. R. Garrett presented the Society with a key to the secret cipher of the Ku Klux Klan, and, upon his motion, Dr. R. L. C. White was requested to explain to the Society at its next meeting the meaning and use of said key.

On motion of Jos. S. Carels, the following resolutions, after having been amended on the motion of Colonel J. B. Killebrew, were adopted:

Whereas, the preservation of the archives of the State of Tennessee is a matter in which the Society takes great interest, and

Whereas, it is very much to be regretted that the original papers relating to every period of the State's history have been so long neglected and allowed to go to destruction; and,

Whereas, the last legislature made an appropriation looking to the preservation of these historic papers and has caused a room to be built in which to deposit them; therefore, be it,

Resolved, that this Society heartily indorses the work so far done and urges that a sufficient sum be appropriated by the present General Assembly for its prosecution to completion. Be it further

Resolved, that we respectfully request his Excellency, Governor J. B. Frazier, to call the attention of the legislature to this matter in his forthcoming message. Be it further

Resolved, that a copy of these resolutions be presented to Governor Frazier by the Secretary of the Society.

Major E. C. Lewis then read an interesting paper on "James Robertson," and, upon invitation of the President, was followed by Bishop E. E. Hoss in an entertaining discussion of the same subject.

On motion of S. A. Cunningham, the following resolutions were adopted, to wit:

Resolved, that the thanks of the Society be returned to Major E. C. Lewis for the able and instructive paper read before us this evening, and that we hereby place upon record its hearty and unreserved indorsement of the proposed plan to erect a monument to the memory of James Robertson.

Resolved, that the hearty thanks of the Society are due to the Centennial Park Commission for inaugurating this monument, and the Society will co-operate in its dedication.

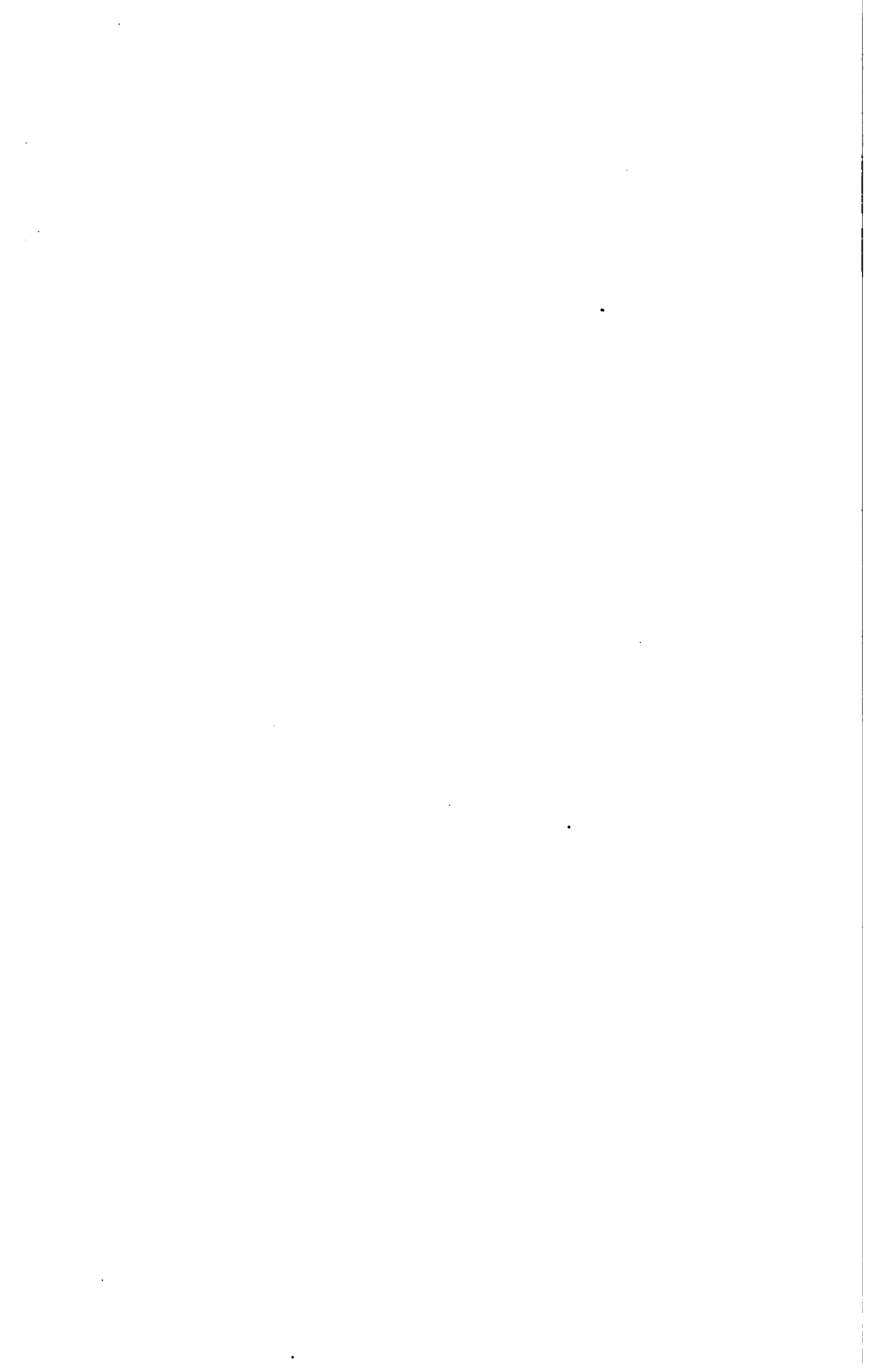
Dr. R. L. C. White offered the following resolution, which was adopted:

This Society, during all the years of its history, has not had so many members who have been alert, intelligent, unselfish and zealous in the conservation of its interests and the promotion of its welfare, always and under all circumstances, that it can afford to lose one of them without placing upon record an expression of its profound regret that his active connection with us has ceased. It is, therefore,

Resolved, by the Tennessee Historical Society that the removal from Nashville of Bishop E. E. Hoss, and the consequent severance of his personal association with us, causes us sincere sorrow; and that going from among us he carries with him our heartfelt and cordial esteem and our unfeigned and continuing affection. We shall bear him always in our hearts—we hope to retain a permanent place in his.

The donations to the Society were then announced.

The Society then adjourned until the second Tuesday in February.



Clarksville,

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BEGINNINGS OF MONTGOMERY COUNTY.

BY ALBERT V. GOODPASTURE.

Montgomery is one of the northern counties of Middle Tennessee. It is traversed by the Cumberland River, which divides it into two sections; the south side being largely a mineral and timber region, while the north side is a rich agricultural county, producing a superior quality of that type of tobacco peculiar to the Clarksville Tobacco District, of which it is the center. One of the principal tributaries of the Cumberland, on the north, is Red River, a considerable stream which has its mouth at Clarksville, the county seat of Montgomery County.

The Cumberland valley was first settled in 1780. The chief station was established by James Robertson at the bluff near the old French Lick, now Nashville. Robertson and some of his companions came through from the Holston valley by land. Their families followed in the famous river expedition conducted by Colonel John Donnelson. Colonel Donnelson kept a diary of his voyage, which is still preserved in the Tennessee Historical Society. His journal notes, on the 12th day of April, 1780, that they "came to the mouth of a little river, running in on the north side, by Moses Renfroe and his company called Red River, up which they intended to settle." Here they took their leave of the main expedition, which proceeded on its way up the Cumberland to join Robertson at the Bluff.

Renfroe and his companions now began the ascent of Red River. They did not stop "at the point" where Clarksville is now situated, as supposed by Putnam, but ascended the river to the mouth of Person's Creek, in the neighborhood of Port Royal where they erected Renfroe's, or, as it is frequently called,

Red River Station. This was the first settlement in Montgomery County. The names of the settlers cannot all be now ascertained; many of them are remembered for their subsequent misfortunes. Among them were Moses, Isaac, Joseph, and James Renfroe, Nathan and Solomon Turpin, Isaac Mayfield, James Hollis, James Johns, and a Mrs. Jones, who was a widow.

While the stationers at Renfroe's were engaged in the arduous work of establishing a frontier settlement—clearing away the dense cane that grew luxuriantly around them, hewing down the forest, and erecting their primitive log cabins—the Chickasaw and Choctaw Indians, ostensibly on the ground that General George Rogers Clark had erected Fort Jefferson, eighteen miles below the mouth of the Ohio, on the east side of the Mississippi River, had begun a savage war against the settlers on the Cumberland. The first immigrant killed was near Robertson's Station. We do not know when intelligence of this event reached Renfroe's Station. It was not long, however, before they were aware of their perilous conditions. In June or July Nathan Turpin and another of their own stationers were killed and scalped near the station.

BATTLE CREEK MASSACRE.

These evidences of Indian hostility seriously alarmed the stationers at Renfroe's. Their position being isolated, and their means of defense feeble, they determined to withdraw to the stronger stations near the Bluff. Accordingly they made hasty preparations for their departure, concealing such of their goods as they did not intend to carry with them. Their arrangements being completed, they commenced their retreat.

Ramsey, following Haywood, says they arrived safely at the Bluff, and afterwards a part of them returned. But I think the account given by Putnam is more probably correct. According to his account, after traveling a day's journey they encamped for the night. Here, a part of them, reproaching themselves for having left so much of their property in their hasty flight, determined to return for it. That night they cautiously approached their deserted cabins, and by break of day, had gathered up the property they had left behind them in their first flight, and re-

sumed their march. At evening they encamped about two miles north of Sycamore Creek, upon the bank of a small stream since called Battle Creek. In the night, or early next morning, they were attacked by the Indians. The firing was sudden and destructive. About twenty persons were killed, including women and children. The women and children had probably awaited the return of the party with the recovered goods, and were thus involved in the general massacre. Those of the party who continued their journey on the second day reached the upper stations in safety.

Mrs. Jones was the only survivor of Battle Creek massacre. By following the tracks of the first party of fugitives she reached Eaton's Station, after a wild flight of nearly twenty miles. As soon as information of this horrible affair reached the stationers at the Bluff, they sent a party to rescue any possible survivor, and to bury the dead. The Indians had made off with the horses and such property as they wanted, and destroyed what they could not take. They ripped up the feather beds to get the ticks. Hugh F. Bell, who was one of the relief party, said the whole country was white with feathers.

This was the first massacre of its magnitude which had occurred in the Cumberland settlements, and with it Renfroe's Station was temporarily abandoned.

ARRIVAL OF LAND COMMISSIONERS.

The evacuation of Renfroe's Station encouraged the Indians in their efforts to destroy the entire settlement on the Cumberland. All the more feeble stations were abandoned, and their occupants took refuge with the stronger ones. For a time only Robertson's and Eaton's stations held out. But the close of the Revolutionary War, in April, 1782, seemed, for a time, to check the hostilities of the Indians. At the same time the Legislature of North Carolina passed an act setting apart certain lands, including the Cumberland settlements, to be reserved for the officers and soldiers of the Continental line, granting pre-emptions to the Cumberland settlers, and appointing commissioners to lay off the former, and grant certificates to the latter. Absalom Tatum, Isaac Shelby and Anthony Bledsoe, the commissioners

appointed, accompanied by a guard of one hundred men, and also several families of immigrants who came under their cover, reached the Cumberland settlements in January, 1783. These additions, both to their numbers and means of defence, were soon followed by others, and the settlements continued to gain strength and confidence, even through the Indian wars that were soon renewed.

PRINCE'S STATION.

The earliest permanent stations within the limits of Montgomery County, were Prince's, Clarksville, and Nevill's. Sometime in the year 1782, a company including Frances, William and Robert Prince, emigrated from the Spartanburg District, in South Carolina to the Cumberland settlements. They probably stopped for a while at Kilgore's or Maulding's Station, near what is now Cross Plains, in Robertson County. At any rate, a short time after their arrival they erected Prince's Station, about a hundred yards from the Cave springs, where Felix Northington formerly lived, near Port Royal. This station was also on Red River, and not far from the abandoned station of Renfroe's. The wife of William Prince having died soon after his arrival, he returned to his original State, where he collected a second company of immigrants, whom he conducted to Prince's Station. Of this company were James Ford, and his brother-in-law William Mitcherson. The settlers in the neighborhood several times found it necessary to retire to the station for safety, but the station itself was never attacked by the Indians.

FRANCIS PRINCE.

Among the leaders at Prince's Station, were Francis Prince and James Ford; the former inclined more to civic duties, while the latter was a leader in the frontier militia. Prince was a man of attractive presence, and great personal magnetism. In 1783 he was elected captain of the company at Maulding's Station. A little later in the same year, he was commissioned one of the four magistrates who organized the first County Court of Davidson County, and was himself elected Register. He refrained from voting in the election, so there were only three votes cast, two

for Prince and one for Andrew Ewin. This position he held until after the establishment of Tennessee county. After his residence had fallen in the new county of Tennessee, the County Court of Davidson County gravely mooted the question, whether the accident of the Register's being cut off in another county would vacate his office, and held that it would not, provided he kept a deputy in Nashville. This decision was subsequently reconsidered and reversed, and Prince went out of office. Upon the organization of Tennessee County, he became the first chairman of its County Court, which position he held for a number of years.

JAMES FORD.

Perhaps the most striking character in the county, in the pioneer days, was Colonel James Ford. He was above six feet tall, rather fleshy, and of commanding appearance. He sat a horse perfectly, and in the saddle he was the admiration of all the settlements. Personally he was kind and affable, as well as bold, outspoken and independent in his sentiments. He was thrifty and successful in his business affairs. Fourth captain in the Davidson County militia in 1784, he became a colonel in the militia of Tennessee County, and had command in both the Cold Water expedition of 1787, and the Nickojack campaign of 1794. He was the representative of Tennessee County in the Legislature of the Southwest Territory from 1793 to 1796; was a member of the Constitutional convention of 1796; and represented Montgomery and Robertson counties in the Senate of the first and second General Assemblies of the State of Tennessee. He died in May, 1808.

CLARKSVILLE.

Clarksville was located on the east bank of the Cumberland River, just above the mouth of Red River. It was the judicious eye of John Montgomery that first discovered in the rugged hills that lie in the fork of these two streams a superior site for the location of a town. He and Martin Armstrong entered the land in January, 1784. In the fall of the same year they had it surveyed, and Armstrong laid off the plan of a town on it. They named the town Clarksville, in honor of General George Rogers

Clark, the distinguished Virginia soldier, who was personally known to many of the early settlers of Tennessee. A fort or block house was erected at the spring near the present foundry, and a number of lots were sold. The purchasers being desirous that the town should be established by Legislative authority, in November, 1785, the General Assembly of North Carolina established it a town and a town common, agreeable to the plan. What became of the town common I do not know. The commissioners named in the act were John Montgomery, Anthony Crutcher, William Polk, Anthony Bledsoe, and Lardner Clark. It was the second town established in Middle Tennessee, Nashville, established in 1784, being the first. It has had a slow but substantial and steady growth, maintaining all along, as it does to-day, its position as the second city in Middle Tennessee.

In 1788 a tobacco inspection was established at Clarksville by the North Carolina Legislature, being the first established in the State. The fact is remarkable as showing how early the cultivation of tobacco came to be an important industry around Clarksville, and as marking the inception of a tobacco market which continues to be one of the most important in the West.

In the same year Tennessee County—later called Montgomery County—was established. The first and second sessions of the Court of Pleas and quarter sessions were held at the house of Isaac Tittsworth, on Person's Creek; the third at the house of William Grimbs; and the fourth and all subsequent sessions in the town of Clarksville. A rude log courthouse was erected on the public square, with the most primitive conveniences. Indeed I do not know that it had so much as seats for the jurors to sit on, until 1793, when the court ordered James Adams to make them.

The public square, which was then called the "public lot," and the streets were "cleared out" and "worked" just as the country roads were. Down on Spring street there was a prison and stocks, and five acres surrounding the same known as the "prison bounds," beyond which the unfortunate prisoner for debt was not permitted to go.

The earliest sketch of Clarksville I have seen is in the United States Gazetteer, a book published in 1795. It describes the place

as the "principal town in Tennessee County, in the territory of the United States, south of the River Ohio. It is pleasantly situated on the east side of Cumberland River, at the mouth of Red River. It contains about thirty dwellings, a courthouse and jail."

The earliest inhabitants of Clarksville were John Montgomery, Anthony and William Crutcher, Amos Bird, George Bell, the father of William and Hugh F. Bell, Robert Nelson and Aeneas McAllister; and in 1794 and 1795, we find the names of John Easten, Daniel James, James Adams, William Montgomery, son of John Montgomery, who was killed by the Indians in 1794, Philip Gilbert, Robert Dunning, Hugh McCallum, Benj. Hawkins and Andrew Snoddy.

There was no church house in the place for a number of years. When the people met for public worship, it was usually in the courthouse, or in a private residence. The Rev. Green Hill, a Methodist minister who afterwards settled in Williamson County, kept a journal of a "trip from North Carolina to Tennessee, commenced May, 1796," in which he records that on Sunday, the 24th of July, he "went to Clarksville, and preached from Mark 1: 15 to an attentive people. Here I met Brother Stephenson, who also preached; he is a Republican Methodist, so called. We lodged together at Robert Dunning's and conversed freely."

NEVILL'S STATION.

About the time Clarksville was settled, George and Joseph B. Nevill, who were natives of South Carolina, immigrated to the Cumberland settlements, and built a fort on Red River between Prince's and Clarksville, at the Thomas Trigg old place.

PALMYRA.

As I have said, the earliest settlements in Montgomery County were along Red River, on the north side of Cumberland. It was ten or twelve years later before any permanent settlements were made on the south side of Cumberland. The earliest and most important of these was Palmyra, situated on the south side of Cumberland River at the mouth of Deason's Creek. It has the

singular distinction of having been the first port of entry in the West. It was laid out by Dr. Morgan Brown, and established by legislative authority in 1796. About 1802, Dr. Brown built in this neighborhood the first iron works operated in Montgomery County. He also kept a general store, as well as a water mill. He removed to Kentucky in 1808. At that time his account books showed the name of many of the settlers in that part of the country. I take the list from an unpublished diary of Will L. Brown:

Francis Tompkins,
John B. Thompkins,
James Bowers,
John Brigham,
Joseph Penrice,
John Burgan,
James Boyd,
Martin Wells, Sr.,
John Hubbert,
Etherington Rochell,
Thomas Smythe,
Edmund Cooper,
David Robertson,
Sterling Mays,
John May,
Robert Searcy,
William Clements,
George Teal,
James Dunbar,
Tapply Maddux,
Brice Jackson,
David Outlaw,
John McBee,
Wright Outlaw,
John Harmon,
Robert Prince,
Thomas Lankford,
William Black,
Stephen Thomas,

George Westner,
James Edwards,
Yancy Thornton,
James Fentress,
David Ross,
Elisha Ellis,
John Hughes,
Robert Drake,
Charles Teal,
Henry Wyatt,
Sarah Smythe,
Edward Teal,
James Baggett,
Jesse Tribble,
Joseph Edwards,
Peter Hubbert, Jr.,
Stewart Parks,
James Adams,
Samuel Tyner,
Col. William Lyons,
Col. [P. W.] Humphreys,
Benjamin Adams,
Hanse Hambleton,
Absalom Tribble,
John Duff,
Robert Tygert,
Gully Moore,
Jacob McCarty,
Solomon Scott,

John P. Vaughn,
Mann Phillips,
William Moon,
John Cooper,
Isaac Shelby,
Widow Brinson,
Richard Cocke,
John Bayless,

David Hunty,
Lavinia Stallions,
Thomas Morse,
Falkner Elliott,
George Outlaw,
William Lyons, Jr.,
Ezekiel Norris.

COUNTY ERECTED.

The great extent of Davidson County having rendered it inconvenient for its inhabitants to attend courts, general musters, and elections, in 1788, the General Assembly of North Carolina erected the northern and western portion of its territory, extending from the Sumner County line on the east to the Tennessee River on the west, and from the Virginia line on the north to 35 degrees 50 seconds north latitude on the south, into a new and distinct county by the name of Tennessee.

In pursuance of this act, the County Court of Tennessee County, composed of the worshipful Francis Prince, chairman, Brazel Boren, John Philips, Jacob Pennington, John Montgomery, Benjamin Hardin, George Bell and George Nevill, esquires, met at the house of Isaac Tittsworth, on the hill where Willie Pickering now lives, about two and a half miles south of Port Royal, on the 20th day of April, 1789, and completed the organization of the county by electing the following officers, to wit: Barkley Williams Pollock, clerk; Joseph B. Nevill, sheriff; Benjamin Hardin, register; John Philips, ranger; and Joseph Martin, "crowner." The word "coroner" in the original bond is erased, and "crowner" interlined.

Putnam states as the impression of some aged citizens, that the complete organization did not take place until January, 1791, under the territorial government, and adds that they "seem to be confirmed in their recollections, when informed that there are no records to be found of a date earlier than 1791." It is unfortunately true that the record books prior to 1791 could not then be found, and since he wrote that from which he quoted has been lost. But there are now in the office of the County

Court Clerk original papers, such as bonds of officers, administrators, etc., and the usual court processes and pleadings, which leave no doubt as to the regular organization of the county and opening of the County Court, April 20, 1789.

FIRST SESSION OF THE COUNTY COURT.

At this time the court system consisted of a "Superior Court of Law and Equity" and an "Inferior Court of Pleas and Quarter Sessions," commonly called the Superior Court and the County Court. The Superior Court of Mero district, which embraced the counties of Davidson, Sumner, and Tennessee, held its sessions at Nashville. The County Court had jurisdiction of all questions involving the life, liberty or property of the citizen, as well as certain legislative functions.

The first law suit brought in the County Court of Tennessee County was instituted on the 20th day of April, 1789, the day the court was organized. The parties were Andrew Jackson, plaintiff, and Philip Alston, defendant; and the subject matter of the litigation was a "sorrel horse, about fourteen hands high, known by the name of Samuel Martin's Sorrel," for which Andrew Jackson paid £100.

Upon the same day Sarah Stewart gave bond, with William Borin and Elkin Taylor as her securities, in the sum of £2,000, as administratrix of John Stewart, deceased. A copy of this bond is also found among the papers, endorsed: "This bond is only a form to draw other bonds by." Mary Jones and Thomas Lidle, administrators of John Jones, deceased, likewise gave bond in the sum of £500, with George Nevill and Joseph Martin as their securities.

The court ordered the following jurors to be summoned to its next term, to be held on the third Monday in July, 1789, at Isaac Tittsworth's, to wit: Thomas French, William Williams, Stephen Borin, Isaac Wilcox, Robert Edmonston, Charles McIntosh, William Grimbs, Jesse Cain, Daniel Flournoy, Samuel Hanley, Jacob McCarty, Josiah Ramsey, William Gales, Caleb Winters, Francis Prince, James Stewart, William McClain, Isaac Pennington, James McFarland, John Wilcox, Hugh Lewis, John

Codra, Archibald Mahon, John Tittsworth, William Conner, John Stonley, Richard Dodge, James Boyd, James Hollis, Sr., Charles Thompson, James Elliott, and John McFarland.

NAME OF COUNTY CHANGED.

In respect of its antiquity Tennessee was the seventh county in the State of Tennessee; Washington, Sullivan, Green, Davidson, Sumner, and Hawkins only preceding it in order of time. In 1796 the Southwest Territory was admitted into the Union as the State of Tennessee. At the first session of the State Legislature, in 1796, the new county of Robertson was erected out of a part of the territory of Tennessee County, and the name of the old county, which consisted of the remaining territory, was changed from Tennessee to Montgomery, its public buildings, officers, and courts remaining unchanged.

JURISDICTION EXTENDED TO INDIAN RESERVATION.

Prior to 1801 the country had been much annoyed and embarrassed from the fact that criminals as well as debtors took refuge within the territorial limits allotted to the Indians, so that the law could neither restrain nor punish them. To remedy this evil the State took jurisdiction of the Indian reservations, and partitioned them among the adjacent counties. The Wilderness was included in Jackson County. Smith, Wilson, Davidson, Williamson, and Robertson counties were extended due south to the southern boundary of the State. All of West Tennessee and the southwestern portion of Middle Tennessee were attached to Montgomery County.

INDIAN TROUBLES.

The Cumberland settlements were not entirely free from Indian depredations, from the time of their first arrival in 1780, till the year 1795. Tennessee County suffered most in the years 1792, 1793 and 1794. Following the treaty of Hopewell in 1785, there was such a lull in Indian hostilities as to lead the settlers to hope for entire exemption from their incursions. Enterprising immigrants busied themselves exploring, locating, and surveying lands, sometimes at remote distances from the settlements.

Early in the year 1786, the Indians killed Peter Barnet on Blooming Grove Creek, several miles below Clarksville. This was followed by the killing of David Steele and wounding of William Crutcher, in the same section of country. Crutcher was one of the first settlers of Clarksville, and was sheriff of Tennessee County in 1792-1793. He was desperately wounded. Besides two gunshot wounds, the Indians had stabbed him and left him for dead, with an old hunting knife sticking in his body. He revived, reached the station and, finally, recovered.

In 1787, the stationers invaded the Indian country, and destroyed the town of Cold Water.

Haywood, Ramsey, and Putnam all state that Isaac and John Tittsworth were killed near the mouth of Sulphur Fork of Red River, in 1789. This is an error. The Tittsworths were massacred in November, 1794, and the event is noted by each of these authors. At the time mentioned, however, a hunting party consisting of Colonel Hugh Tinnon, Evan Shelby, Jr., Abednego Lewellen and Hugh F. Bell, while in pursuit of game, fell into an ambush, when the Indians fired upon them, killing Shelby and Lewellen; Tinnon and Bell narrowly escaped.

In July, 1791, the Indians killed Thomas Fletcher and two other men near Clarksville, and in November, a Mr. Grantham near the same place.

In January, 1792, the Seviars, Rice and Curtis were killed, as hereafter described, at Seven-mile Ferry, and a Mr. Boyd, in Clarksville.

ADDRESS OF THE INHABITANTS OF TENNESSEE COUNTY.

The murders and depredations committed by the Indians were all the more harassing to the settlers on Cumberland, because instigated by the Spanish, who had already shut up the navigation of the Mississippi against them; moreover, the policy of the government forbade them to invade the Indian country for the purpose of punishing them for their outrages.

In view of these facts, a meeting of the Committee of Tennessee County was held February 1, 1792, Captain William Prince presiding. The following address was adopted and forwarded to

General Robertson, which illustrated the state of public feeling in the County in that time:

That your petitioners, having convened together at the request of the distressed part of Tennessee County, in order to set forth their grievances, and to pursue some method for their relief, beg leave to represent to you, sir, that they have much to dread from the Indians as the spring season approaches. The recent murders and ravages committed by them on our frontiers, too evidently prove their intentions on this quarter. We already feel the effects of the navigation of the river being shut up, by which means we shall be deprived of the very necessary article, salt; that article having already raised in its price. Immigration to this country by water must frequently cease. We also beg leave to assure you that the frontiers will break up unless some speedy method is taken to secure them from the inroads of the savages, which must be followed by the most fatal consequences. We are much afraid, sir, that Government has not vested their officers in this country with authority to carry on an expedition against any nation or village of Indians. Yet we are confident that something must be done with the Indians that do the mischief on our frontiers. We are willing to pursue every lawful means to procure peace and tranquillity among us. Therefore, we beg leave to suggest to you the idea that an express be sent to the Commandant at New Madrid, setting forth that it is his people that do the mischief in our country, and whatever else you may think proper. . . . We have confidence that you will do all in your power to relieve the distresses of the people under your command.

OPEN WAR.

Other settlers were killed in the spring and summer of 1792, notable among whom was Isaac Pennington, a member of the first jury empanelled in Tennessee County. In September, open war was declared by the five Lower Towns of the Cherokees, and the Cumberland settlements sustained terrible ravages. Tennessee County, however, escaped until the first of the next year. In January, Colonel Hugh Tinnon was dangerously wounded while building a fence around his cabin; many horses were seized and carried off; six men were killed on the Cumberland River, and Robert Wells and John Milligan were wounded. Wells' wife and two children were murdered during the succeeding August. Milligan's brother had been killed on the

15th of the preceding July, at the time of Isaac Pennington's death. Many depredations were committed in August; among them the widow Baker and all her numerous family of children, except two, were killed, at her home on the creek where her husband had commenced his improvements, still known as "Bakers Creek."

JOHN DIER.

The last names recorded among those who were killed in the year 1793, are those of John Dier and Benjamin Lindsey, who were killed near the mouth of Red River. Dier's history, from the very slight glimpse we have of it, is one of more than common interest. Hunting was his profession; by it he made his living. He did not care to till the soil; the wild life of the hunter had more charms for him. His contracts were made payable in the fruits of his trusted rifle. Perhaps his last business transaction was the execution of a note of this character to John Edmonson, for which a claim was filed against his estate in the County Court. It is as follows:

Estate of John Dier

To John Edmonson

Dr.

To your note of hand for 35 Hundred Weight of Buffalo Beef, dated October 4, 1793, and payable the first of November ensuing, at Two Dollars per Hundred.

70 Dollars.

Nor was hunting his only accomplishment. He spoke the Creek and Chickasaw languages perfectly, and, perhaps, that of the Choctaws. For this reason General Robertson endeavored to get him to live at his house, in Nashville, but could not do so without paying him \$100 a year, in money. He offered him a hundred bushels of corn per year, and as much cleared land as he chose to cultivate, but he declined the offer on the ground that he supported his family by hunting, and could not undertake General Robertson's employment for other than money considerations. Failing in this General Robertson, in a letter to Governor Blount, tried to induce the government to employ Dier. "Would it not be reasonable," he said, "that the United States paid such a person, as the Creek will be much here, as well as the

Chickasaws and Choctaws, whenever they may be at peace? Sir, will you be so condescending as to write me on this subject? I would pay half myself sooner than be without him."

THE TITTSWORTH MASSACRE.

I have mentioned that the Commissioners to lay off the Military Reservation, in 1783, were accompanied by a guard of one hundred men. Of this number was Isaac Tittsworth, who settled on Person's Creek about two miles and a half south of Port Royal. He remained there through the trying scenes of the decade from 1784 to 1794. He had risen to the rank of colonel in the county militia. It was at his house the County Court of Tennessee County was organized, in 1789, and held its first sessions. But as the year 1794 drew to its close, for some reason, perhaps for the safety of their families, he and his brother John Tittsworth determined to remove to Logan County, Kentucky. On Wednesday, the 5th day of November, they commenced their journey. The caravan contained the wives, children and servants of the Tittsworth brothers, but neither of them is known to have been with the train. They journeyed all day through the shady forest, and as evening drew on, they had passed the uttermost limit of the settlement. Night-fall found them, weary with the day's journey, four miles further in the forest. Here they were glad to make their encampment for the night. During the night they were surprised by a party of about fifty Indians, and massacred in the most savage manner. Seven persons were killed and scalped on the spot. A white man, three children, a young girl, the daughter of Colonel Tittsworth, and a negro man were taken prisoners. The Indians immediately made off with their prisoners and such of the goods as they could carry.

Next day pursuit was made by the neighboring settlers. The Indians, by keeping a good lookout in the rear, discovered their pursuers, but declined to risk an engagement. However, the infuriated frontiersmen pressed hard upon them. They retook the Tittsworth property, and considerable other property the Indians had with them. Finally the three little children, who had been

carried off prisoners, were retaken, but their captors had first tomahawked and scalped them, holding on and dragging them along till their heads were entirely skinned. One of them died the next day, and the lives of the others were despaired of, but whether they died or recovered is not now known. They reached the nation with their other prisoners.

For ten months Miss Tittsworth remained captive in the Creek nation. In the meantime peace had been made with the Indians, and in August, 1795, Colonel Tittsworth obtained a passport to the nation, which had then desisted from war, and his daughter and negro man were delivered up to him without price.

THE PIONEERS.

Most of the pioneers of Montgomery County were industrious, thrifty, prosperous men; many were men of character and influence in their native countries; and some were from even distinguished families. Geographically they were chiefly from North Carolina, South Carolina, Virginia and Pennsylvania, in the order named. Prominent among those who came from North Carolina were Heydon Wells, one of the first immigrants to the Cumberland and a member of the committee for its government under the Cumberland compact, who lived on McAdoo Creek; James, Charles, and Duncan Stewart, who were all prominent, both in this State and the State of Louisiana to which they subsequently removed; Anthony and William Crutcher, and Robert Nelson. Among those from South Carolina, James Ford, Francis, William and Robert Prince, George Bell, George Nevill, Joseph B. Nevill, and Dr. Morgan Brown, were all men of mark among the pioneers of Cumberland. Evan and Moses Shelby, brothers of Governor Isaac Shelby, of Kentucky, and Valentine Sevier, brother of Governor John Sevier, of Tennessee, were immediately from the Watauga settlement, but were natives of Virginia, as was also John Montgomery, the founder of Clarksville. John H. Poston was sent to Clarksville from Abingdon, Va., to engage in the mercantile business, by Mr. King. James Elder, the first postmaster at Clarksville, who received for his compensation from October 1 to December 31, 1800, the sum of

\$2.09, was a Pennsylvanian. Aeneas McAllister, a blacksmith, migrated from Pittsburg, taking with him a number of mechanics who were practical operatives in wood and metal, the chief demand being for guns, knives, and tomahawks, and set up a shop in Clarksville.

JOHN MONTGOMERY.

When Tennessee County gave up its beautiful name to the State—tradition says at the suggestion of Andrew Jackson—it was called Montgomery in honor of John Montgomery, a brave and patriotic citizen of the county, who had then but lately met a tragic death at the hands of the Indians. Montgomery was a native of Virginia, and like most of the pioneers, was bold, restless, and adventurous. He explored the Cumberland country as early as 1771 in company with Mansker, Drake, Bledsoe and others, and was one of its first immigrants. He was one of the signers of the Cumberland Compact, and upon the organization of their court in 1783, was elected sheriff of the district. He did not give his personal attention to the duties of the office, and the committee, whose proceedings were generally summary, a few months later annulled the “deputation of Thomas Fletcher to the sheriffalty,” and themselves appointed him sheriff. At this time the relations between the Americans and the Spanish were strained, and required the most delicate management. The Cumberland settlements were most of all interested in the maintenance of peace and tranquillity. Certain lawless men were fomenting trouble by “treasonable and piratical proceedings carried on in the Mississippi against the Spaniards.” Montgomery was exploring the country and locating land down the Cumberland. Rumors became current on the Cumberland, and ultimately reached the governor of North Carolina, that he was connected with these unlawful proceedings. These rumors no doubt led to his dismissal from the sheriffalty. They certainly caused Governor Martin to issue a proclamation charging him with aiding and abetting in such proceedings. Upon the appearance of this proclamation Montgomery appeared before the County Court and gave bond for his appearance at the next term. Putnam, in his History of Middle Tennessee, says, “We believe the

records do not show that Montgomery appeared and stood his trial, but fled or kept dark for a time." It is true he did not appear at the next term and forfeiture was taken against his sureties, but a subsequent entry in the case seems to make the matter clear. After reciting the proclamation under which he was arrested, it says, "the said proclamation being afterwards countermanded, the court considered that the said recognizance of course had become void." Without this explanation, Putnam's statement is calculated to do injustice to the reputation of Colonel Montgomery.

In January, 1784, he and Martin Armstrong entered the land on which he founded the town of Clarksville, and in 1785 became a commissioner of the town. Upon the formation of Tennessee County he became one of its justices of the peace, which position he continued to hold until his death. He was a colonel in the County militia, and, in 1794, was in immediate command of the troops raised in the Southwest Territory in the Nickojack campaign, in which the Indian towns of Running Water and Nickojack were completely destroyed. This was the last public service of his life.

When he returned he led a hunting excursion to Eddyville, Ky. On the 27th day of November, 1794, his party was attacked in their camp by the Indians. It seems to have been a surprise. Colonel Hugh Tinnon was wounded so he could not run fast, and asked Colonel Montgomery not to leave him. With the courage and devotion so often found among the pioneers, he put himself between Colonel Tinnon and the Indians, until a bullet from one of their guns took effect in his knee, when the savages rushed upon him with their knives. While returning from Fort Massac, where he had served a tour of duty, John Rains found Julius Sanders, one of the party who had escaped, though shot in four places. Sanders said the last he saw of Colonel Montgomery an Indian was stabbing him repeatedly with a huge knife. Rains went with a party, including a son of Colonel Montgomery, the next day, and found his body, which they buried where a tree had been torn up by the roots.

THE SHELBYs.

Major Evan Shelby (1754-1793) and Colonel Moses Shelby (1756-1828) were brothers of Governor Isaac Shelby, of Kentucky, and sons of General Evan Shelby, of King's Meadows. They inherited much of the military and patriotic spirit of their father, whose services at the desperate battle of Point Pleasant have always been highly commended. Both of them served with him in his Chickamauga campaign in 1779. Both took conspicuous parts in the decisive battle of King's Mountain. Moses was the trusted messenger between his brother Isaac and Colonel Campbell, two of the leaders in the campaign against Colonel Ferguson, and, in the battle, was severely wounded while storming the enemy's works. The honor of receiving Colonel DePeyster's sword at the surrender of the British, is claimed for Evan, who was major in his brother Isaac's regiment.

When their brother came to Cumberland as commissioner of bounty lands and pre-emptions in 1783, they came with him. Evan settled on West Fork of Red River, some distance to the west of Clarksville. As he was returning on the 18th of January, 1793, from the falls of the Ohio, in a large canoe laden with salt and other supplies, he was fired upon and killed by a party of Indians, near the mouth of Casey's Creek, in Trigg County, Kentucky. His gun, sword and other property were taken by the Indians.

Moses lived many years after this event. He moved from Clarksville to New Madrid, Mo., where he died September 17, 1828.

VALENTINE SEVIER.

Among the early settlers of Montgomery County was Colonel Valentine Sevier (1747-1800). His father was a Virginian of French extraction, from whom he inherited something of the cavalier spirit, so prominent in the character of his brother, Governor John Sevier. Spare of flesh, with an erect, commanding, soldierly presence, a bright blue eye, and quick ear, he was at once ardent, brave, generous and affectionate.

He had served his country faithfully, both in the Indian wars, and the War of Independence. He was sergeant in Captain Evan

Shelby's company at the battle of Point Pleasant, and was distinguished for vigilance, activity and bravery. He entered the Revolutionary War as a captain, and commanded a company at Thicketty Fort, Cedar Springs, Musgrave's Mill, and King's Mountain.

He was the first sheriff of Washington County; a justice of the peace; and colonel of the County militia. He took an active interest in the establishment of the State of Franklin, and soon after its fall in 1788, he emigrated to Cumberland, and erected a station near the mouth of Red River, opposite the town of Clarksville, where the extinct town of Cumberland was afterwards established, between Clarksville and New Providence.

At the beginning of the year 1792 the Cumberland settlements were much alarmed at the warlike demonstrations of the Cherokees. General Robertson, who had been the early friend and comrade in arms of Colonel Sevier, called for volunteers for spies and rangers. Colonel Sevier had three grown sons with him, Robert, William and Valentine. When they asked his permission, notwithstanding the weakness of his own station, he gave them leave to join General Robertson at Nashville.

On the 7th day of January, 1792, these young men, together with John Rice, John Curtis, and two or three others, started up the river in canoes. They were induced to make the journey by water on account of the scarcity of horses at the station. The Cumberland River above Clarksville makes a horseshoe curve to a place called Seven-mile Ferry. When the party left Clarksville they were discovered by a Cherokee chief called Double Head, who rapidly crossed the country to Seven-mile Ferry, and secreted his party in the bushes near the shore. Here they remained until the boats came around the bend, when they fired a volley into them, killing the three Seviers, Curtis and Rice. The remainder of the party got their boats across the river, and commenced a retrograde movement, hugging the opposite shore. Seeing all the party were not killed, Double Head again crossed the isthmus made by the river, intending to intercept them again on their return. The boats had been abandoned before Double Head found them. The Indians boarded them, scalped the young men, and carried away whatever they desired of the goods and

provisions. They took the hat, coat and boots of Curtis which were afterwards identified by a trader.

It was a day or two before the news reached Colonel Sevier's station. It was distressing news to him. Deprived now of all his grown sons who had come with him to Cumberland, he wrote to his brother, Governor John Sevier, in language expressive of the deepest grief, asking him to send his son John to come and see him, "as," said he, "I have no other sons but small ones."

Hardly three years after this sad bereavement, a still more terrible calamity befell the inhabitants of Sevier's station. About 11 o'clock on the morning of the 11th of November, 1794, when the men were all away from the station, except Colonel Sevier and Charles Snyder, a party of Creek Indians, from a town called Tuskeya, made a furious assault upon the station. The scene can be better described by those who saw it.

Anthony Crutcher writes his brother William, under date:

Clarksville, November 12, 1794.

Dear Brother: Yesterday I was spectator to the most tragical scene that I ever saw in my life. The Indians made an attack upon Colonel Sevier's station, killed Snyder, his wife and child, one of Colonel Sevier's children, and another wounded and scalped, which must die. On hearing the guns four or five of us ran over. We found the poor old Colonel defending his house, with his wife. It is impossible to describe this scene to you. Mr. James, who goes to you, and was an eyewitness, can give you the particulars. The crying of women and children in town, the bustle and consternation of the people, being all women and children, but the few that went to Colonel Sevier's, was a scene that cannot be described. This is a stroke we have long expected, and from intelligence, we hourly expect this place to be assailed by the enemy. Colonel Sevier is now moving, and the town will not stay longer than Mr. James' return. My wife now lies on her bed so ill that it would be death to move her; thus are we situated. This place will, without doubt, be evacuated in a day or two unless succor is given by the people of the interior part. Pray ask the influence of Major Tatum, Douglass and all our friends, with General Robertson, to guard us, or, at least, help us away.

John Easten wrote Brigadier-General Robertson :

Clarksville, November 12, 1794.

Dear Sir: I flatter myself that the contents of this letter will be as seriously considered as the premises demand. Yesterday about 11 o'clock in the morning, a heavy firing commenced at Colonel Sevier's by a party of about twelve or fifteen Indians. The Colonel bravely defended his own house, and kept the savage band from entering; but they cruelly slaughtered all around him. Three of his own children fell dead. Charles Snyder and two small children also fell. Unfortunately for us in this place, we were not prepared to go to their assistance, for the want of men. However, I was on the ground the first man, and was the first spectator to the horrid sight—some scalped and barbarously cut to pieces; some tomahawked very inhumanly, and the poor helpless infants committed to the torturing flames. However, without entering further into the horrors of this barbarous massacre, suffice it to say that, we consider ourselves in most imminent danger. Indian signs almost in every quarter, which lead us to think we stand in great need of protection. This is the object of this letter, favored by Mr. Daniel James, who comes mostly on this particular business, and I hope his journey, or the cause of his journey, will be attended to; if not, I am confident that Clarksville will be evacuated; but I flatter myself a protection will be willingly and speedily granted.

I will be permitted to add the letter of Colonel Sevier to his brother, the governor, written a month later:

Clarksville, December 18, 1794.

Dear Brother: The news from this place is desperate with me. On Tuesday, 11th of November, last, about 12 o'clock, my station was attacked by about forty Indians. On so sudden a surprise, they were in almost every house before they were discovered. All the men belonging to the station were out, only Mr. Snyder and myself. Mr. Snyder, Betsy, his wife, his son John, and my son Joseph were killed in Snyder's house. I saved Snyder so the Indians did not get his scalp, but shot and tomahawked him in a barbarous manner. They also killed Ann King, and her son James, and scalped my daughter Rebecca. I hope she will recover. The Indians have killed whole families about here this fall. You may hear the cries of some persons for their friends daily.

The engagement commenced by the Indians at my house, continued about an hour, as the neighbors say. Such a scene no

man ever witnessed before. Nothing but screams and roaring of guns, and no man to assist me for some time. The Indians have robbed all the goods out of every house, and have destroyed all my stock. You will write our ancient father this horrid news; also my son Johnny. My health is much impaired. The remains of my family are in good health. I am so distressed in my mind that I can hardly write. Your affectionate brother till death.

Only two of Colonel Sevier's children were killed in this massacre: Betsy and Joseph. Rebecca was knocked down, scalped, and left for dead, but revived, and finally recovered. Old Mr. Needham told W. R. Bringhurst, Sr., that he had danced with her many a time after her recovery. Besides these he lost his son-in-law, Charles Snyder, and his grandson, John Snyder.

Valentine Sevier died at Clarksville, February 23, 1800. His wife survived him for more than forty years. After his death his personal property was sold by his administrator. His wife bought only one article. The report of sales of personal property shows this item:

Bought by the widow—one large Bible, 50 cents.

EARLY ADDRESSES AND MESSAGES OF THE GOVERNORS OF TENNESSEE.

GOVERNOR JOHN SEVIER, 1796-1801.

Inauguration of Governor John Sevier, March 30, 1796.

Both Houses having convened in the Representatives' Chamber, the several oaths prescribed for the qualification of the governor, were duly administered to his excellency, John Sevier, after which he presented to both Houses of the General Assembly an address which was read, and ordered inserted in the journals, as follows:

First Inaugural Address of Governor Sevier, March 30, 1796.

Gentlemen of the Senate and House of Representatives:

The high and honorable appointment conferred upon me by the free suffrages of my countrymen, fills my breast with gratitude, which, I trust, my future life will manifest. I take this early opportunity to express, through you, my thanks in the strongest terms of acknowledgment. I shall labor to discharge with fidelity the confidence reposed in me; and if such my exertions should prove satisfactory, the first wish of my heart will be gratified.

Gentlemen, accept of my best wishes for your individual and public happiness: And, relying upon your wisdom and patriotism, I have no doubt that the result of your deliberations will give permanency and success to our new system of government, so wisely calculated to secure the liberty and advance the happiness and prosperity of our fellow citizens. JOHN SEVIER.

Message of Governor Sevier, April 11, 1796.

Mr. Speaker and Gentlemen of the General Assembly:

Permit me to remark to your honorable body, that our senators are about to proceed to the Federal Legislature. It may not be inexpedient to remind them of the necessity of taking under con-

sideration, the embarrassed situation claimants of land are under, to those lying south of the line concluded on in the treaty of Holston, and now within the Indian boundary.

In my humble opinion, it is a matter of great public importance and particularly interesting to the State and to individuals, to either have the Indian claims extinguished, or the adventurers compensated for those lands.

I have no doubt that you will take the premises under due deliberation, and give your senators such instructions as you, in your wisdom, may deem necessary and advisable.

JOHN SEVIER.

Message of Governor Sevier, April 22, 1796.

Mr. Speaker and Gentlemen of the General Assembly:

Your session is now near a close, the safety and protection of the frontiers requires your serious consideration. Tranquillity, amity, and mutual friendship with the neighboring tribes, is the principal means of securing the same.

Permit me to remind your honorable body of the deplorable condition our frontier citizens would be plunged into, should this country unhappily again be involved in war with a savage nation. The calamities of the last, are recent in our memory, and the spoils and ravages occasioned thereby, are daily presented before us.

The rapid immigration into our State is truly flattering; but a single hostility might be the means of occasioning the prospect wholly to vanish and cease. Many thousands have moved to our government, not many are wealthy, their resources small and their wants great; and were they reduced to the melancholy dilemma of entering into forts and blockhouses, I am assured their condition would be distressing and painful in the extreme.

Let me remark to you, gentlemen, and I make no doubt you will coincide with me in opinion, that a few years peace would be the most legal and eligible mode to reduce our neighboring tribe to reason and good order.

The present appearances of Indian affairs have a pacific color, and should proper measures be adopted by your legislative inter-

position, so as to prevent violation and encroachment, I have no doubt that peace will abound throughout the government.

One thing more, I beg leave to observe. It is well known to you that the brave officers and privates, that composed the army, who performed the last campaign, are still unpaid, from which circumstances many of our citizens are much embarrassed and disappointed on the occasion.

I have lately been advised to go forward to the war office personally, to state the expediency and authority that caused and produced the campaign. Now, if the present session of Congress should fail to make provision for the payment, I wish to know the sense of the Assembly, whether I might be permitted, or not, to go forward at the time of the next session, to lay the same before Congress. It will be a journey attended with much fatigue and expense; but nevertheless, I feel it my indispensable duty to give every aid and assistance in my power, to have the officers and privates duly compensated for their hazardous and toilsome services.

I have the honor to be, gentlemen, with due respect,

Your obedient servant,

JOHN SEVIER.

*Answer of the Legislature to the Message of Governor Sevier,
April 23, 1796.*

Sir: The General Assembly are, with you, fully sensible that every attention ought to be paid to the preservation of peace between the frontiers and the neighboring Indians, and that mutual amity and intercourse should be preserved. It is the hope of this General Assembly, that no hostilities will by any of the citizens of this State be committed against the Indians. And should the Indians again offer violence, and commence war against the people of this State, the General Assembly declare their confidence in the general government, that the people will be protected.

This General Assembly are of opinion, that although the payment of the officers and soldiers alluded to, is of importance, yet the absence of the governor from this State might be attended with consequences not pleasing, and think that it will be the duty

of the senators and representatives from this State in Congress, to whom the governor will write on that subject, to procure an adjustment and payment of what money may be due on account of that expedition.

With you we join in saying, that peace is a most desirable object for the people of this State; their safety and population on it do depend. With you it is to take care, that the citizens of this State commit no encroachments upon the Indians; that the conditions of the Treaty of Holston be preserved inviolate on the part of this State: And should the Indians be so far lost to a sense of their own good and happiness, as to commence hostilities, we have the greatest confidence that you will do those things agreeably to the laws of the Union necessary for the general welfare.

Proclamation of Governor Sevier Convening the General Assembly, July 4, 1796.

WHEREAS, I have lately received authentic information, that an act of the Congress of the United States, passed at their last session, involved several acts of this State in difficulty, and renders the same incomplete to answer the purposes and salutary uses and effects intended to be obtained therefrom, by the honorable [legislature] of this State:

I have thought it necessary and highly expedient, to summon the members of the General Assembly, to convene on the last Saturday of the present month. And do strictly request and enjoin them and each of them, to be punctual and particular in giving their attendance accordingly, in order to take under their due deliberation such matters as may be laid before them.

Given under my hand and seal, at Knoxville, this fourth day of July, one thousand, seven hundred and ninety-six, and in the twenty-first year of American Independence.

JOHN SEVIER.

Address of Governor Sevier to the General Assembly, July 30, 1796.

Gentlemen of the Senate and of the House of Representatives:

The short time in which I conceived it was necessary to convene the Legislature, compelled me to call you together on so

short a notice. In the first instance it was necessary to give all the time the emergency of the occasion would admit of, and in the second from a circumstance that the election to be held for representative, was approaching so near at hand, made it necessary as I conceived, for the Assembly to have it in their power, by a timely meeting (should they in their wisdom deem it proper) to make an alteration in the act directing the mode of electing representatives to represent this State in the Congress of the United States, before the day of the election should arrive, as directed in the aforesaid act; otherwise it might be attended with disputes and contentions of a disagreeable nature, for by a late act of Congress the intended number of our representatives is diminished; of course, it proportionally lessens our number of electors, for President and Vice President of the United States. Thus such a derangement will necessarily require an alteration in our acts passed for such purposes.

Our senators not being recognized in the Senate of the United States, is another matter for your consideration and attention, and for your more ample information, the several acts and communications accompanying this address, will elucidate unto you the propriety of my calling the Assembly together at this time.

I hope, I may be permitted to observe, that it is of importance and conducive to public happiness, to arrange our acts conformable with those of Congress so far as they shall respect this State.

The foregoing are the reasons why I thought proper to convene the Assembly in session on the present day; and I make no doubt you will, through your paternal care, wisdom, and patriotic deliberations, adopt such measures as will tend to produce the public interest and general utility of the State.

I have the pleasure of announcing to you, gentlemen, the admission of the State of Tennessee into the Federal Union, a circumstance pregnant with every flattering prospect of peace, happiness and opulence to our infant State. The period has at length arrived when the people of the Southwest Territory may enjoy all the blessings and liberties of a free and independent republic.

Permit me to wish you public, domestic and individual happiness while I have the honor to be, very respectfully,

Your devoted and obedient servant,

JOHN SEVIER.

Answer of the General Assembly to the Address of Governor Sevier, August 6, 1796.

To his Excellency, John Sevier, Esquire, Governor of the State of Tennessee:

Sir:—We are fully sensible, that the important objects by you laid before this General Assembly, made it necessary for you to convene the Legislature at this time.

We rejoice with you in the event of this State being firmly admitted into the Federal Union; and our minds are filled with the most pleasing sensations, when we reflect on the prosperity and political happiness to which we view as a certain prelude. Be assured, sir, it will be our first and greatest care to adopt such measures as will promote the true interests of this State, as connected with the American Union.

With respect to our representation, in the Senate of the United States, in particular, we flatter ourselves, such steps have been taken, that no reason now remains sufficient to justify that body in refusing any longer to recognize our Senators.

We view it as essentially necessary to the preservation of peace and harmony with the Indian tribes, that the Constitutional treaties and laws should be duly observed; and we have the fullest confidence that the executive of this State will take proper measures to enforce their due execution.

(To be continued.)

MILITARY GOVERNMENT IN ALABAMA UNDER THE RECONSTRUCTION ACTS.

BY WALTER L. FLEMING, M.A.,
West Virginia University.

I. THE ADMINISTRATION OF GENERAL POPE.

The Military Reconstruction Bills.—The Radicals in Congress triumphed over the moderate Republicans, the Democrats and the President, when on March 2, 1867, they succeeded in passing over the veto the first of the notorious Reconstruction Acts. This act reduced the Southern States to the status of military provinces and established the rule of martial law. After asserting in the preamble that no legal governments or adequate protection for life and property existed in Alabama and other Southern States, the act divided the South into five military districts subject to the absolute control of the central government, that is, of Congress.* Alabama, with Georgia and Florida, constituted the Third Military District. The military commander, a general officer, appointed by the President, was to carry on the government in his province. No State interference was to be allowed, though the provisional civil administration might be made use of if the commander saw fit. Offenders might be tried by the local courts or by military commissions, and except in cases involving the death penalty there was no appeal beyond the military governor. This rule of martial law was to continue until the people should adopt a State constitution providing for enfranchisement of the negro and for the disfranchisement of all whites who would be excluded by the proposed fourteenth amendment to the United States Constitution. As soon as this constitution should be adopted by the new electorate, a majority voting in the election, and the constitution approved by Congress, and the legislature elected under the new constitution should ratify the proposed

* The President and the Judiciary now being powerless.

fourteenth amendment, then representatives from the State were to be admitted to Congress upon taking the "ironclad" test oath of July 2, 1862. And until so reconstructed the present civil government of the State was provisional only and might be altered, controlled, or abolished, and in all elections under it the negro must vote and those who would be excluded by the proposed fourteenth amendment must be disfranchised.¹

The President at once (March 11, 1867) appointed General George H. Thomas to the command of the Third Military District, with headquarters at Montgomery, but the work was not to General Thomas' liking and at his request he was relieved and on March 15 General Pope was appointed in his place.² Pope was in favor of extreme measures in dealing with the Southern people and stated that he understood the design of the Reconstruction Acts to be "to free the Southern people from the baleful influence of old political leaders."³

The act of March 2 did not provide for forcing reconstruction upon the people. If they wanted it, they might initiate it through the provisional governments, or if they preferred they might remain under martial law. While all people were anxious to have the State restored to its proper place in the Union, most of them soon saw that to continue under martial law even when administered by Pope was preferable to reconstruction under the present terms. Consequently the movement toward reconstruction was made by a very small minority of the people and had no chance whatever of making any headway.

Therefore, in order to hasten the restoration of the States and to insure the proper political complexion of the new régime Congress assumed control of the administration of the law of March 2, by the supplementary act of March 23, 1865. "To facilitate restoration" the commander of the district was to cause a registration of all men over twenty-one not disfranchised by the

¹ Text of the Act, McPherson, *Reconstruction*, 191, 192. G. O. No. 2, 3d M. D., April 3, 1867. For criticism, Burgess, *Reconstruction*, 112-122. Dunning, *Civil War and Reconstruction*, 123, 126-135, 143.

² G. O. Nos. 10 and 18. H. Q. A., March 11 and 15, 1867. McPherson, 200.

³ Report of Secretary of War, 1867, I, 321.

act of March 2, who could take the prescribed oath¹ before the registering officers. The commander was then to order an election for the choice of delegates to a convention. He was to apportion the delegates according to the registered voting population. If a majority voted against holding the convention it should not be held. The boards of registration, appointed by the commanding general, were to consist of three loyal persons. They were to have entire control of the registration of voters, and the elections and returns which were to be made to the military governor. They were required to take the "ironclad" test oath, and the penalties of perjury were to be visited upon official or voter who should take the oath falsely. After the convention should frame a constitution it should submit it to the people for ratification or rejection. The same board of registration were to hold the election. If the constitution should be ratified by

¹ The oath was: "I, ———, do solemnly swear (or affirm), in the presence of Almighty God, that I am a citizen of the State of Alabama; that I have resided in said State for ——— months, next preceding this day, and now reside in the county of ——— in said State; that I am twenty-one years old; that I have not been disfranchised for participation in any rebellion or civil war against the United States, nor for felony committed against the laws of any State or of the United States; that I have never been a member of any State legislature, nor held any executive or judicial office in any State and afterward engaged in insurrection or rebellion against the United States or given aid and comfort to the enemies thereof; that I have never taken an oath as a member of Congress of the United States, as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States and afterwards engaged in insurrection or rebellion against the United States or given aid and comfort to the enemies thereof; that I will faithfully support the Constitution and obey the laws of the United States, and will, to the best of my ability, encourage others to do so, so help me God!"—*McPherson, Reconstruction*, 192, 205. *G. O. No. 5, Third Military District*, April 8, 1867.

Note.—Speaking of the situation in Alabama in the fall of 1867. Governor Seymour, of New York, said: "The Southern people have to deal with political problems more bewildering than the theological dogmas which are set forth in the verse:

"You can and you can't,
You will and you won't,
You'll be damned if you do,
And you'll be damned if you don't."

New York Herald, October 4, 1867.

a majority of the votes cast in the election where a majority of the registered voters voted, and the other conditions of the act of March 2 having been complied with, the State should be admitted to representation in Congress.¹

Pope Assumes Command.—On April 1, 1867, General Pope arrived in Montgomery and assumed command of the Third Military District. General Swayne was continued in command of Alabama as a sub-district. Pope announced that the officials of the provisional government would be allowed to serve out their terms of office, provided the laws were impartially administered by them. Failure to protect the people without distinction in their rights of person and property would result in the interference of the military authorities. Civil officials were forbidden to use their influence against reconstruction under the acts of Congress. No elections were to be held unless negroes were allowed to vote and the whites disfranchised as provided for in the act of March 2. However, all vacancies then existing or which might occur before registration was completed would be filled by military appointment. The State militia was ordered to disband.² General Swayne proclaimed that he, having been entrusted with the "administration of the military reconstruction bill" in Alabama, would exact a literal compliance with the requirements of the Civil Rights Bill. All payments for services rendered the State during the war were peremptorily forbidden.³ The Herald correspondent reported that Pope's early orders were favorably received by the conservative press of Alabama, and that there was no opposition of any kind manifested. The people did not seem to realize what was in store for them. The army thought necessary to crush the rebellious State was increased by a few small companies only, and now consisted of fourteen companies detached from the Fifteenth and the Thirty-third Infantry and the Fifth Cavalry, amounting in all to 931 men, of whom eight companies were in garrison in the arsenal at Mt.

¹ McPherson, *Reconstruction*, 192-194. Burgess, *Reconstruction*, 129-135. Dunning, *Civil War and Reconstruction*, 124, 125.

² G. O. Nos. 1 and 2, 3d M. D., April 1 and 3, 1867. N. Y. Herald, April 6, 1867. Annual Cyclopaedia, 1867, p. 19. McPherson, 201, 205. Report of Secretary of War, 1867, I, 322. Herbert, *Solid South*, 38.

³ G. O. No. 1, District of Alabama, April 2, 1867. McPherson, 206.

Vernon and the forts at Mobile.¹ The rest were stationed at Montgomery, Selma and Huntsville.

Writing to Grant on April 2, Pope stated that the civil officials were all active secessionists and would oppose reconstruction. But the people were ready for reconstruction which he predicted would be speedy in Alabama. Five days later, he wrote that there would be no trouble in Alabama, that Governor Patton and nearly all the civil officials and most of the prominent men of the State were in favor of the Congressional reconstruction and were canvassing the State in favor of it.² He was evidently of changeable opinions. However, he was so impressed with the goodness of Alabama and the badness of Georgia, that, in order to be near the most difficult work, he asked Grant to have headquarters removed to Atlanta, which was done on April 11.³

The Georgia people were evidently so bad that they caused a change in his former favorable opinion of the people in general, or rather of the whites, for in a letter to Grant, July 24, 1867, we find a frank expression of his sentiments in regard to reconstruction. He thought the disfranchising clauses were among the wisest provisions of the reconstruction acts; the leading rebels should have been forced to leave the country and stay away; all the old official class were opposed to reconstruction and were sure to prevail unless kept disfranchised; it was better to have incompetent, loyal men in office than rebels of ability, in fact the greater the ability the greater the danger; in order to retain the fruits of reconstruction the old leaders must be put beyond the power of returning to influence. He had by this time become somewhat disgusted with the reconstructionists—for he intimated that none of the whites were fit for self-government, and was strongly of the opinion that in a few years, intelligence and education would be transferred from the whites to the negroes. He predicted ten thousand majority for reconstruction in Alabama, but thought that in case reconstruction succeeded in the elections, some measures would have to be taken

¹ Report of Secretary of War, 1867, I, 466. N. Y. Herald, April 6, 1867. 1867.

² Ho. Ex. Doc. No. 20, 40 Cong. 1 Sess.

³ G. O. No. 52, H. Q. A., April 11, 1867.

to free the country of the turbulent and disloyal leaders of the reactionary party, or there would be no peace.¹

Control of the Civil Government.—Pope instructed the post commanders in Alabama to report to headquarters any failures of civilian tribunals to administer the laws in accordance with the Civil Rights Bill or the recent acts of Congress. They were, above all, to watch for discrimination on account of color, race or political opinion. While not interfering with the functions of civil officers they were instructed to give particular attention to the manner in which such functions were discharged.² Civil officials were warned that the prohibition against their using influence against reconstruction would be stringently enforced. They were not to give verbal or written advice to individuals, committees or to the public unless in favor of the reconstruction. Officials who violated this prohibition were to be removed from office and held accountable as the case demanded.³ District and post commanders were ordered to report to Pope all State, county, or municipal officials who were "disloyal" to the government of the United States, or who used their influence to "hinder, delay, prevent or obstruct the due and proper administration of the acts of Congress."⁴ Later, Grant and Pope decided that the paroles of soldiers were still in force and that any attempt to "prevent the settlement of the Southern question would be a violation of parole."⁵

In May, Pope issued an order and an explanatory order informing the officials of Alabama of their proper status. There was no legal government in Alabama, they were told, and Congress had declared that no adequate protection for life and property existed. The military authorities were warned that upon them rested the final responsibility for peace and security. Consequently when necessary they were to supersede the civil officials. In towns, the mayor and chief of police were required to be present at every public meeting, with sufficient force to render disturbance impossible. It would be no excuse not to know of a

¹ Report of Secretary of War, 1867, I, 353.

² G. O. No. 4, 3d M. D., April 4, 1867.

³ G. O. No. 10, 3d M. D., April 23, 1867.

⁴ G. O. No. 48, 3d M. D., August 6, 1867.

⁵ Annual Cyclopeda, 1867, 17.

meeting or not to apprehend trouble. Outside of towns, the sheriff or one of his deputies was to be present at such gatherings, and in case of trouble was to summon a posse from the crowd, but must not summon officers of the meeting or the speakers. It was declared the duty of civil officials to preserve peace, and assure rights and privileges to all persons who desired to hold public meetings. In case of disturbance, if it could not be shown that the civil officials did their full duty, they would be deposed and held responsible by the military authorities. When the civil authorities asked for it, the commanders of troops were to furnish detachments to be present at political meetings and prevent disturbance. The commanding officers were to keep themselves informed in regard to political meetings and hold themselves ready for immediate action.¹

From the beginning, Pope, supported and advised by General Swayne, pursued extreme measures. There were many complaints of his arbitrary conduct after a few weeks. In his correspondence with General Grant he complained of the attitude of the Washington administration toward his acts, and largely to support Pope (and Sheridan in the Fifth District) Congress passed the act of July 19, 1867, which was the last of the reconstruction acts, so far as Alabama was concerned. This law declared that the civil governments were not legal State governments and were, if continued, to be subject absolutely to the military commanders and to the paramount authority of Congress. The commander of the district was declared to have full power, subject only to the disapproval of General Grant, to remove or suspend officers of the civil government and appoint others in their places. General Grant was vested with full power of removal, suspension and appointment. It was made the duty of the commander to remove from office all who opposed reconstruction.² Pope had already been making use of the extremest powers and the only effect of the act was to approve his course.

¹G. O. No. 25, 3d M. D., May 29, 1867. (This was to favor radical meetings. There were many stump speakers sent down from the North to tell the negro how to vote, and it was feared they might excite the whites to acts of violence.) N. Y. Herald, June 4, 1867. Explanatory Order.

²McPherson, *Reconstruction*, 335, 336. Dunning, 153, 154.

Pope gave the laws a very broad interpretation. He believed that reconstruction should be thoroughly done in order to leave no room for future trouble and embarrassment. Grant, on August 3, wrote to him¹ approving his sentiments and went on to say: "It is certainly the duty of the district commander to study what the framers of the reconstruction laws wanted to express, as much as what they do express, and to execute the law according to that interpretation."² This was certainly a unique method of interpretation and would justify any possible assumption of power.

There had been several instances of prosecution of soldiers and officials for acts which they claimed were done under military authority. Pope disposed of this question by ordering the civil courts to entertain no action against any person for acts performed in accordance with military orders or by sanction of the military authority. Suits then pending were dismissed. The military authorities were to enforce the order strictly and report all officials who might disobey.³ A few weeks later a decree went forth that all jurors should be chosen from the lists of voters registered under the acts of Congress. They must be chosen without discrimination in regard to color and each juror must take an oath that he was a registered voter. Those who could not take the oath were to be replaced by those who could.⁴ So much for the general regulation and supervision of the civil authorities by the army. There were but a few hundred troops entrusted with the execution of these regulations which were of course enforced only spasmodically. The more prominent officials were closely watched but the only effect in country districts was to destroy all government. Many judges while willing to have their jurors drawn from the voting lists, refused to accept ignorant negroes on them or to order the selection of mixed

¹ As long as Pope was in command at Montgomery and Atlanta, he and Grant kept up a rapid and voluminous (on the part of Pope) correspondence. They were usually agreed on all that pertained to reconstruction, both being extreme in their views.

² Ho. Ex. Doc. No. 30, 40 Cong. 2 Sess. Ho. Ex. Doc. No. 20, 40 Cong. 1 Sess. McPherson, 312.

³ G. O. No. 45, 3d M. D., 1, August 2, 1867. McPherson, 319.

⁴ G. O. Nos. 53 and 55, 3d M. D., August 19 and 23, 1867, report of the Secretary of War, 1867, I, 331. McPherson, 319.

juries, and many courts were closed by military authority. Judge Wood, of the city court of Selma, had a jury drawn of whites. A military commission, sitting in Selma, refused to allow cases to be tried unless negroes were on the jury. Pope's order was construed as requiring negroes on each jury and so he meant it.¹ Later, Pope published an order requiring jurors to take the "test oath," which would practically exclude all the whites.² Prisoners confined in jail under sentence by jurors drawn under the old laws were liberated by the army officers or by Freedmen's Bureau officials. Twice in the month of December, there were jail deliveries by military authorities in Greene County.³

Removal and Appointment of Civil Officials.—Within the first month Pope began to remove civil officials and appoint others. Mayor Joseph H. Sloss, of Tuscumbia, was the first to go. Pope alleged that the election had not been conducted in accordance with the acts of Congress and forthwith appointed a new mayor. No complaint had been made, the removal being caused by outside influence.⁴ At this election, negroes for the first time in Alabama had voted under the Reconstruction Acts. Sloss had received two-thirds of all votes cast. Evidently the blacks had been controlled by the whites, which was contrary to the spirit of the Reconstruction Acts.

Immediately after a riot in Mobile following an incendiary speech by Judge Kelly, of Pennsylvania, one of the visiting orators, Colonel Shepherd, of the Fifteenth Infantry, assumed command of the city. The police were suspended. Breach of the peace was punished by the military authorities. Out-of-door congregations after nightfall were prohibited. Notice of public meetings had to be given to the acting mayor in time to have a force on hand to preserve the peace. The publication of incendiary articles in the newspapers was forbidden. The provost guard was directed to seize all large firearms in the possession of improper persons and to search suspected persons for small

¹ See Selma Messenger, January 17, 1868.

² See McPherson, 312.

³ Eutaw Whig and Observer, December 12 and 24, 1867.

⁴ S. O. No. 2, 3d M. D., April 15, 1867. Annual Cyclopaedia, 1867, 20. Montgomery Mail, April 30, 1867.

arms. The special police, when appointed, were ordered to restrict their duties to enforcing the city ordinances. All offences against military ordinances would be attended to by the military authorities. A later order prohibited the carrying of large firearms without special permission. Deposits of such arms were seized. Persons walking peaceably along the street were not to be searched.¹

Pope declared vacant all offices in Mobile and filled them anew,² in the face of a report by Swayne that reasonable precautions had been taken to prevent disorder. The blame for this action of Pope fell upon Swayne, who had to carry out the orders of Pope. The officers appointed by Pope refused to accept office and then he seems to have offered to reappoint the old officials and they declined. Thereupon he lost his temper and directed Swayne to fill the vacancies in the city government of Mobile "from that large class of citizens who have heretofore been denied the right of suffrage and participation in municipal affairs and whose patriotism will prevent them from following this disloyal example." He was referring to the refusal of the former members of the city government to accept reappointment after suspension, and meant that negroes should now be appointed. Swayne offered positions to some of the most respected and influential negroes, who declined, saying that they preferred white officials. Negro policemen were appointed.³ In October a case came up in Mobile which caused much irritation. The negro policemen were troublesome and insolent anyway, and one day a little child ran out into the street in front of a team driven by a negro who paid no attention to the mother's call to him to stop his horses. Some one snatched the baby from under the heels of the horses, and the scared and angry mother relieved her feelings by calling the driver a "black rascal." The negro policemen came to her house, arrested her, and on her refusing to go, with great brutality dragged her from

¹G. O. Nos. 35, 38, 40, Post of Mobile, 1867. Annual Cyclopedica, 1867, 20-23. N. Y. Times, May 21, 1867.

²New York World, May 28, 1867. S. O. No. 34, 3d M. D., May 31, 1867. Herbert, Solid South, 40. N. Y. Times, May 21, 1867.

³S. O. No. 38, 3d M. D., June 6, 1867. S. O. No. 27, 3d M. D., May 22, 1867. N. Y. Tribune, June 11, 1867. Selma Messenger, June 18, 1867. Evening Post, May 1867. Annual Cyclopedica, 1867, 20-25. Mobile Register, October —, 1867.

the house and along the street. Another woman asked the negroes if they had a warrant for the arrest of the first woman. She was answered by the polite phrase: "What the hell is it your business?" Mayor Horton, Pope's appointee, fined the woman ten dollars¹—for violation of the Civil Rights Bill, it is to be presumed, since that was considered to cover most things pertaining to negroes.

This Mayor Horton had a high opinion of his prerogatives as military mayor of Mobile. The *Mobile Tribune* had been publishing criticisms on his administration and also of Mr. Bromberg, one of his political brethren. Archie Johnson, a crippled, half-witted, negro newsboy was, it is said, hired to follow the mayor about, selling his *Tribune* papers, much to the annoyance of Mayor Horton. On one occasion Archie cried: "Here's yer *Mobile Tribune*, wid all about Mayor Horton and his Bromberg rats." This was too much for the military mayor, and, considering the offense as one against the Civil Rights Bill, he sentenced the negro to banishment to New Orleans. Archie soon returned and was again exiled by the mayor. Here was an opportunity for the people to get even with Horton, and suit was brought in the Federal Court before Busted, who was now somewhat out with his party. Horton was fined for violation of the Civil Rights Bill, and there was much rejoicing in Mobile because "the trap made to catch Southerners has first gobbled up a Yankee official."²

Many officials were removed and many appointments made by Pope. His removals and appointments included mayors, chiefs of police, tax assessors and collectors, school trustees, county commissioners, justices of the peace, sheriffs, judges, clerks of courts, bailiffs, constables, city clerks, solicitors, superintendent of schools, aldermen, common councils, and in two cases all the officials of a county (Jones and Colbert counties).³

¹ Mobile Register, October —, 1867.

² Herbert, *Solid South*, 40, 41. N. Y. Times, December 27, 1867.

³ S. O. Nos. 9, 10, 16, 18, 19, 20, 22, 24, 25, 26, 27, 31, 32, 35, 36, 37, 38, 39, 3rd M. D., 1867. Report of the Secretary of War, 1867, I, 327. (Some of the persons appointed were: B. T. Pope and David P. Lewis, Judges; George P. Goldthwaite, Solicitor; B. F. Saffold, Mayor of Selma.

Pope was roundly abused by the newspapers and by the people for making so many changes. I have been unable to find the names of more than thirty-four officials of any consequence who were removed by Pope. He made 224 appointments to such offices, besides minor ones. A clean sweep of all officials from mayor to policemen were made in Mobile and again in Selma. Most vacancies were secured by expiration of term of office or by forced resignation.¹

As there was need of money to pay the expense of the convention soon to assemble, and as the tax payers were beginning to understand for what purposes their money was to be used and were in many instances refusing to pay, Pope issued an order to the post and detachment commanders directing them to furnish military aid to State tax collectors.² The bitterest reconstructionists were heartily in favor of aid to the tax collecting branch of the "rebel" administration. They needed money to carry out their plans. When the terms of the tax collectors expired they were ordered to continue in office until their successors were duly elected and qualified,³ which, of course, meant to continue the present administration until the reconstructed government should take charge. Pope was very careful not to allow the civil government to spend any of the money coming in from taxes. He said that he thought it proper to prohibit the State treasurer from paying out money for the support of families of deceased Confederate soldiers, for wooden legs for Confederate soldiers, etc., since the convention, soon to meet, would probably not approve expenditure for such purposes.⁴ Later the treasurer was ordered to pay the per diem of the delegates and the expenses of the convention, though Pope expressed doubt, for once, of his authority in the matter.⁵

General Swayne, at Montgomery, who had long been at the head of the Freedmen's Bureau in the State and also military commander of the district of Alabama since June 1, 1866, found

¹ Report of the Secretary of War, 1867, I, 364.

² G. O. No. 77, 3d M. D., October 19, 1867. McPherson, 319.

³ G. O. No. 103, 3d M. D., December 21, 1867.

⁴ Report of the Secretary of War, 1867, I, 333. McPherson, 316.

⁵ S. O. 254, 3d M. D., November 26, 1867. Pope to Swayne, November 20, 1867. N. Y. World, December 14, 1867.

himself relegated to a somewhat subordinate position after Pope assumed command in the Third District. The latter took charge of everything. If a negro policeman were to be appointed in Mobile Pope made the appointment and issued the order. Not always did he send his orders to Swayne to be republished. In consequence, Swayne dropped out of the records somewhat, but he had to bear much of the blame that should have fallen on Pope, though he was in full sympathy with the views of the latter. He was, however, a man of much more ability than Pope, of sounder judgment, and had had a good legal training. Consequently, Pope relied much upon him for advice in the many knotty questions that came up. He often came from Atlanta to Montgomery to see Swayne, and as a rule none of his familiar proclamations were ever issued when under the influence of Swayne. The orders written for him or outlined by Swayne were stringent, of course, but clear, short and to the point. Pope's own masterpieces were long, rhetorical and threatening. His favorite valedictory at the end of an order was a threat of martial law and military commissions.

General Swayne was still at the head of the Freedmen's Bureau, and in this capacity he made his authority felt. In April, 1867, he ordered probate judges to revise former actions in apprenticing minors to former owners and to revoke all indentures made since the war if the minors were able to support themselves. Though the vagrancy law had never been enforced and had been repealed by the legislature, he prohibited its execution. The chain-gang system was abolished, except in connection with the penitentiary.¹ In the fall, in order to secure pay for negro laborers, he ordered a lien on the crops grown on the farm where they were employed. This lien was to attach from date of order and to have preference over former liens.²

Pope and the Newspapers.—When Pope first assumed command it was reported that the conservative papers were, at the worst, not hostile to him,³ but within a few weeks he had aroused their hostility and the battle was joined. Pope believed that the

¹ G. O. No. 3, Sub-District Alabama, April 12, 1867. McPherson, 319.

² McPherson, 319.

³ N. Y. Herald, April 6, 1867.

papers had much to do with inciting hostility against the visiting orators from the North, resulting in such disturbances as the Kelley riot in Mobile. Consequently, instructions were issued prohibiting the publication of articles tending to incite to riot, etc. This order was aimed at the conservative press. No one except the negroes paid much attention to the Radical press. However, after the Mobile trouble the military commander was somewhat nervous and wanted to prevent future troubles. The negroes, now much excited by the campaign, were supposed to be much influenced by the violent articles appearing in the Radical paper of Mobile—the *National Republican*. On May 30, an article was printed in that paper instructing the freedmen when, where and how to use firearms. It went on to state: "Do not, on future occasions [like the Kelley riot], waste a single shot until you see your enemy, be sure he is your enemy, never waste ammunition, don't shoot until necessary and then be sure to shoot your enemy. Don't fire into the air." Fearing the effect upon the negroes of such advice the commanding officer at Mobile suppressed the edition of May 30, and prohibited future publication unless the proof should first be submitted to the commandant according to regulations of May 19, issued by Pope. Instead of approving the action of the Mobile officer, Pope strongly disapproved of and revoked his orders. The Mobile commander was informed that it was the duty of the military authorities not to restrict but to secure the utmost freedom of speech. No officers or soldiers should interfere with newspapers or speakers on any pretext whatever. "No satisfactory execution of the late acts of Congress is practicable unless this freedom is secured and its exercise protected," Pope said. However, "treasonable utterances" were not to be regarded as the legitimate exercise of the freedom of discussion.¹

The conservative papers managed to keep within bounds and Pope was unable to harm them. Finally, he decided to strike at them through the official patronage. By the famous General

¹ N. Y. Tribune, June 1, 1867. N. Y. Herald, June 4, 1867. G. O. No. 28, 3rd M. D., June 3, 1867. Report of the Secretary of War, 1867, I, 326.

Order No. 49,¹ he stated that he was convinced that the civil officials were obeying former instructions² only so far as their personal conversation was concerned, and were using their official patronage to encourage newspapers which opposed reconstruction and embarrassed civil officials appointed by military authority by denunciations and threats of future punishment. Such use of patronage was pronounced an evasion of former orders and was an employment of the machinery of the State government to defeat the execution of the reconstruction acts. Therefore it was ordered that official advertising and official printing be given to those newspapers which had not opposed and did not then oppose reconstruction or embarrass officials by threats of violence and of prosecution as soon as the troops were withdrawn.³ This order affected nearly every newspaper in the State. There were sixty-two counties and each had public printing and advertising. On an average, at least one paper for each county was touched in the exchequer and as Pope reported, "a hideous outcry" arose from the press of the State.⁴ There were only five or six reconstruction papers in the State, and a modification of the order in practice was absolutely necessary. Pope was so roundly abused by the newspapers, North and South, and especially in Alabama and Georgia, that he seems to have been affected by it. He endeavored to explain away the order by saying that it related only to military officials and not to civil officials. He did not say that in the order, though he may have meant it, and was now using the remarkable method of interpretation suggested to him by Grant in regard to the reconstruction acts. Several accounts of newspapers for public advertisements were held up and payment disallowed. The best known of these papers were the *Selma Times* and the *Eutaw Whig and Observer*.⁵ The order was strictly enforced until General Meade assumed command of the Third Military District.

Trials by Military Commissions.—The newspapers state that many arrests of citizens were made by military authorities, and

¹ August 12, 1867.

² G. O. Nos. 1 and 10.

³ G. O. No. 49, 3d M. D., August 12, 1867.

⁴ Report of the Secretary of War, 1867, I, 325.

⁵ Selma Messenger, December 25, 1867.

in the spring of 1868 the newspapers generally remarked that the jails were filled with prisoners arrested by the military officials who were still awaiting trial. Most of these were probably arrested under the Pope régime since Meade, his successor, was not so extreme. However, Pope, in spite of his threats, had but few persons tried by military commissions. D. C. Ballard was convicted of pretending to be a United States detective and of stealing ninety-five bales of cotton. He was sentenced to eight years' imprisonment.¹ One David J. Files was arrested for inciting the Kelley riot at Mobile. Pope said he was the chief offender and had him imprisoned in Fort Morgan until he could be tried by a military commission. He was fined \$100.² Wm. A. Castleberry was convicted by a military commission, fined \$200 and imprisoned for one year for purchasing stolen property and for assisting a deserter to escape. Jesse Hays, a justice of the peace in Monroe County, was sentenced to five months imprisonment and fined \$100 for prescribing a punishment for a negro that could not be prescribed for a white, that is, fifty lashes. Matthew Anderson and John Middleton, who were tried for carrying out the sentence imposed on the negro, were acquitted.³ These are all the cases that I have been able to find of trial of civilians by military commission under Pope. In one case there was an interference with the administration of justice. Daniel and James Cash had been indicted in Macon County for murder and had made bond. They were later indicted and arrested in Bullock County. Pope ordered that they be released and that all civil officials let them alone.⁴

Registration and Disfranchisement.—But the prime object of Pope's administration was not merely to carry on the government in his military province but to see that the reconstruction was rushed through in the shortest possible time, and in the most thorough manner, according to the intentions of the Congressional leaders as he understood them. As already stated he had

¹ G. O. No. 25, 3d M. D., 1867.

² S. O. No. 53, 3d M. D., June 27, 1867. G. O. No. 44, 3d M. D., August 1, 1867. Ho. Ex. Doc. No. 30, 40 Cong. 2 Sess.

³ G. O. No. 94, 3d M. D., 1867.

⁴ S. O. No. 96, 3d M. D., August 5, 1867. Ho. Ex. Doc. No. 30, 40 Cong. 2 Sess.

very clear ideas of what should be done and from the first was hampered by no doubts as to the limits of his power. The reconstruction laws were given the broadest interpretation. In the liberal interpretation of his powers Pope was surpassed only by Sheridan in the Fifth District.

A week after his arrival in Montgomery Pope directed Swayne to divide the State into registration districts. Army officers were to be used as registrars only when no civilians could be obtained. In order to encourage registration the registrars were to be paid in proportion to the number of voters registered. They were required to instruct all persons as to their political rights under the acts of Congress. General supervisors were to look after the working of the registration, and there was to be a general inspector at headquarters. Violence or threats of violence against registration officials would be punished by military commissions.¹ May 21, 1867, the State was divided into forty-two (later forty-four) registration districts, so arranged as to make the most effective use of the black vote.² A board of registration for each district was appointed, each board consisting of two whites and one negro. Since each had to take the "ironclad" test oath, all native whites were practically excluded, those who were on the lists being men of doubtful character and no ability. There was a number of Northerners. For most of the districts the white registrars had to be imported. It is not saying much for the negro members to say that they were much the more able and respectable part of the boards of registration.³ Again it was stated that in order to secure full registration, the compensation would be fixed at so much for each voter—fifteen to forty cents, the price varying according to density of population. Five to ten cents mileage was paid in order to enable the registrars to hunt up voters. They were

¹ G. O. No. 5, 3d M. D., April 8, 1867.

² In this way, white majorities in ten counties were overcome by black majorities in the adjoining counties of the district.

³ Of the registrars who later became somewhat prominent in politics, the whites were: Horton, Dimon, Dereen, Sillsby, Wm. M. Buckley, Stanwood, Ely, Pennington, Haughey—all being Northern men. Of the negro members of the boards: Royal, Finley, Williams, Alston, Turner, Rupier, King (or Godwin) rose to some prominence, and their records were much better than those of their white colleagues.

directed to inform the negroes what their political rights were and how necessary it was for them to exercise those rights. Voters were to be registered in each precinct, and later, in order to register those missed the first time, the board was to sit, after due notice, for three days at each county seat. Any kind of interference with registration, by threats or by contracts depriving laborer of pay, was to be punished by military commission. The right of every voter under the acts of Congress to register and to vote was guaranteed by the military. In case of disturbance the registrars were to call upon the civil officials or upon the nearest military authorities. If the former refused or failed to protect the registration they were to be punished by a military commission.¹ May 1, Colonel James F. Meline was appointed inspector of registration for the Third Military District,² and Wm. H. Smith was appointed general supervisor for Alabama.³ Boards of registration were authorized to report cases of civil officials using their influence against reconstruction.⁴ When a voter wished to remove from his precinct after registration he was to be given a certificate which would enable him to vote anywhere in the State. If he should lose this certificate, his own affidavit before any civil or military official would suffice to obtain a new certificate.⁵

On the first of June Pope issued pamphlets containing instructions to registrars which were especially definite as to those former State officials who should be excluded from registration. The list of those who were to be disfranchised included every one who had ever been a State, county or town official and later aided the Confederacy;⁶ former members of the United States Congress, former United States officials, civil and military, members of State legislatures and of the convention of 1861; all officials of State, county and towns during the war; and finally judicial

¹ G. O. No. 20, 3d M. D., May 21, 1867.

² G. O. No. 12, 3d M. D., 1867.

³ Smith was later the first reconstruction governor of Alabama.

⁴ G. O. No. 41, 3d M. D., 1867.

⁵ G. O. No. 50, 3d M. D., August 15, 1867.

⁶ Governor, secretary of state, treasurer, comptroller, sheriff, judicial officers of every kind, and all court clerks and other officials, commissioners, tax assessors and collectors, county surveyors, treasurers, mayor, councilmen, justices of the peace, solicitors.

or administrative officials not named elsewhere.¹ I fail to find that any officials were not excluded from registration except the keepers of poorhouses, coroners and health officers. Instructions issued later practically repeated the first instructions and placed former officials of the Confederate States on the list. The registrars were reminded to enforce the disfranchising clauses of the acts both as to voters and candidates.²

The stringent regulations of Pope caused much bitter comment and the Washington administration was besought to revoke the orders of Pope. Complaints were coming in from other districts, and on June 18, 1867, at a cabinet meeting the questions in controversy were brought up point by point and the cabinet passed its opinion on them. A strict interpretation of the reconstruction acts was arrived at which was much more favorable toward the Southern people. Stanton alone voted against all interpretation favorable to the South. The interpretation of the acts thus obtained was issued as a circular, the opinion of the attorney-general, through the War Department and sent to the district commanders on June 20.³ As soon as Pope received a copy of the opinion of the attorney-general he wrote to Grant protesting against the enforcement of the opinion as an order, so far as it related to registration. If enforced, his instructions to registrars would have to be revoked. According to all rules of military obedience it was his duty to consider the instructions sent him through the adjutant-general's office as binding, but he expressed doubt if it was to be considered as an order to him. Grant telegraphed to him to enforce his own construction of the acts until ordered to do otherwise.⁴

In order to remove all doubt in the matter, Congress in the act of July 19, 1867, sustained Pope's interpretation of the acts and made it law. The construction placed upon the laws by the cabinet was directly repudiated, and officers acting under the reconstruction acts were not to consider themselves bound

¹ Special Instructions to Registrars in Alabama. Report of the Secretary of War, 1867, I, 339.

² Registration Orders, June 17, 1867.

³ Record of Cabinet Meeting, June 18, 1867, in Ho. Ex. Doc. No. 34, 40 C. 1 Sess. Burgess, 136. Ho. Ex. Doc. No. 20, 40 Cong. 1 Sess.

⁴ Ho. Ex. Doc. No. 20, 40 Cong. 1 Sess. McPherson, 311.

by the opinion of any civil officer of the United States.¹ This was aimed at the attorney-general and the cabinet. The law also gave the registrars full judicial powers to investigate the records of those who applied for registration. Witnesses might be examined touching the qualifications of others. The boards were empowered to revise the lists of voters and to add to or strike from it such names as they thought ought to be added or removed. No pardon or amnesty by the President was to avail to remove disability.²

The Elections and the Convention.—After the passage of this law it was smooth sailing for Pope. Registration went on with such success that on August 31 he was induced to order an election to be held on October 1 to 4 for the choice of delegates to a convention. An apportionment of delegates among the various districts was made at the same time. In the distribution the black counties were favored at the expense of the white counties.³

The work of the registrars was thoroughly done. The negro enrollment was enormous; the white enrollment was small. The registration of voters before the elections was: Whites, 61,295; blacks, 104,518; total, 165,813.⁴ For the convention and for delegates 90,283 votes were cast. Of these 18,553 were those of whites and 71,730 were negro votes. Against holding a convention, 5,583 white votes were cast, and 69,947 registered voters failed to vote—37,159 whites and 32,788 blacks.⁵ The names of the delegates chosen were published in general orders and the convention was ordered to meet in Montgomery on November 5.⁶ During the session of the convention Pope took a rest from his labors and spent some time in Montgomery. He was a great favorite with the reconstructionists and was accorded special

¹ McPherson, 335, 336. Burgess, 138-142.

² McPherson, 335, 336.

³ G. O. No. 59, 3d M. D., August 31, 1867. Journal of Convention of 1867, 3-5. Report of the Secretary of War, 1867, I, 356, 357. Tribune Almanac, 1868.

⁴ Sen. Ex. Doc. No. 53, 40 Cong. 2 Sess. Tribune Almanac, 1867, 1868. Report of Col. J. F. Meline, Inspector of Registration, January 27, 1868. These figures are based on the latest reports of 1867. According to the census of 1866, there would be in 1867 108,622 whites over twenty-one years of age, and 89,663 blacks.

⁵ Meline's Report, January 27, 1868.

⁶ G. O. No. 76, October 18, 1867. Journal of Convention of 1867, pp. 1-3.

honors by the convention. He did not think as highly of reconstructionists as when he first assumed command, and the antics of the "Black Crook" convention made him nervous. After a month's session he was glad to see it disband.¹

One of the last important acts of Pope's administration was to order an election for February 4 and 5, 1868, when the Constitution should be submitted for ratification or rejection and when by his advice candidates for all offices were to be voted for. Two weeks beforehand the registrars were to revise their lists, adding and striking off such names as they saw fit. Polls were to be opened at such places as the board saw fit. Any voter might vote in any place to which he had removed by making affidavit before the board that he was registered and had not voted before.²

Removal of Pope and Swayne.—Both Pope and Swayne had been charged with being desirous of representing the States of the Third Military District in the United States Senate. Pope had made himself obnoxious to the President, and the people also were demanding his removal. So, on December 28, 1867, an order was issued by the President relieving Pope and placing General Meade in command of the Third Military District. General Swayne was at the same time ordered to rejoin his regiment,³ and a few days later his place was taken by General Julius Hayden.⁴ The people were greatly relieved and much pleased by the removal of Pope and Swayne. The former had become obnoxious on account of the extreme measures he had taken in carrying out the reconstruction acts, on account of his irritating proclamations, his attitude toward the press, etc. General Swayne had long enjoyed the confidence of the best men. His

¹ McPherson, 319. Journal of Convention, 1867, 110, 111, 276. N. Y. World, December 14, 1867.

Note.—When the Convention passed a resolution indorsing the "firm and impartial, yet just and gentle," administration of Pope, three delegates voted against it because they said Pope had not done his full duty in removing disloyal persons from office, but after being informed had left them in office. Journal of the Convention, 1867, 110, 111.

² G. O. No. 101, December 20, 1867. McPherson, 319. Journal of Convention, 267.

³ The Forty-fifth United States Infantry, a negro regiment.

⁴ McPherson, 346. G. O. No. 104, H. Q. A. (A. G. O.), December 28, 1867. G. O. No. 1, 3rd M. D., January 1, 1868.

influence over the negroes was supreme and had been used to promote friendly relations between the races. But as soon as the reconstruction was taken charge of by Congress and party lines were drawn, all his influence, personal and official, was given to building up a radical party in the State and to securing the negroes for that party. He was high in the councils of the Union League and controlled the conventions of the party. The change of rulers is said to have had a tranquilizing effect on disturbed conditions in Alabama.¹ But the people of Alabama would have been pleased with no human being as military governor invested with absolute power.

II. THE ADMINISTRATION OF GENERAL MEADE.

Registration and Elections.—On January 6, 1868, General Meade arrived in Atlanta and assumed command of the Third Military District.² His first and most important duty was to complete the military registration of voters and hold the election for the constitution and for officials under it. Registration had been going on regularly since the summer of 1867, and after the convention had adjourned there was a rush of whites to register in order to defeat the constitution by refraining from voting on it. As the time for the election drew near the friends of the reconstruction, much alarmed at the tactics of the conservative party, brought pressure to bear upon Grant, who suggested to Meade that an extension of time be made. Consequently, the time for the election was extended from two to five days in order to enable the remotest negro to be found and brought to the polls. At the same time the number of voting places was limited to three in each county.³

General Meade was opposed to holding the election for State officials at the same time. He thought it would be difficult to carry the constitution on account of the proscriptive clauses in it, but in his opinion the candidates nominated by the convention

¹ Herbert, *Solid South*. N. Y. Times, January 24, 1868.

² G. O. No. 3, 3d M. D., January 6, 1868.

³ G. O. No. 16, 3d M. D., January 27, 1868. *Annual Cyclopedic*, 1868, 15. Report of Major-General Meade's Military Operations and Administration of the 3rd M. D., etc. (pamphlet). N. Y. Times, January 24, 1868.

were even more obnoxious to the people than the constitution, and many people would refrain from voting on that account. Swayne, who seems to have still been in Montgomery, admitted the force of the objection, but Grant objected to any change until too late.¹

The election took place on February 1 to 5, and passed off without any disorder. Meade reported that the charges of fraud made by the Radicals were groundless, and that the constitution had been defeated on its merits, or rather demerits. Both the constitution and the candidates were obnoxious to a large number of the friends of reconstruction. He reported that the constitution failed of ratification by 13,550 votes, and advised that the convention assembled again, revise the constitution of its proscriptive features, and again submit it to the people.² But no one listened to his advice.

Administration of Civil Affairs.—Pending the decision of the Alabama question by Congress, Meade carried on the military government as usual. He thoroughly understood that his power was unlimited. No more than Pope did he allow the civil government to stand in the way. There was, however, a vast difference in the administrations of the two men. Meade was less given to issuing proclamations but was firmer and more strict. He was not under the influence of the Radical politicians in the slightest degree. He was abused by both sides, especially by the Radical adventurers. It was a thankless task for which he had no liking, but his duty was done in a soldierly manner, and his administration was probably the best that was possible.

He made it clear to the civil authorities that he was the source of all power and that they were responsible to him and must obey all orders coming from him. If they refused, he promised trial by a military commission, fine and imprisonment. They must under no circumstances interfere, under color of State

¹ Report of Meade, etc., 1868. Telegrams of Meade to Grant, January 11, 12, 18, and of Grant to Meade, January 13, 18.

² Report of Meade, etc., 1868. Herbert, *Solid South*, 48, 49. In his first report Meade estimated that the Constitution failed of ratification by 8,114 votes (Herbert, *Solid South*, 49). In his report at the end of the year, based on the official report of General Hayden, which was made a month after the election, he changed the number to 13,550.

authority, with the military administration. He had no admiration for the "loyal" element, and when a bill was before Congress providing that the officials of the civil government be required to take the "ironclad" test oath or vacate their offices, Meade made a strong protest and declared that he could not fill half the offices with men who could take the test oath.¹ After the February elections political influence was brought to bear to force Meade to vacate the offices of the civil government and to appoint certain individuals of the proper political beliefs. These persons voted for in the elections were clamorous for their places. Grant suggested that when appointments were made, the men recently voted for be put in. Meade resisted the pressure, made few changes, and these only after investigation. Removals were made for neglect of duty, malfeasance in office, refusing to obey orders, and "obstructing reconstruction." Many appointments were made on account of the deaths, resignations, etc., of the civil officials.² Few of the officials appointed by him could take the test oath, and he was much abused by the Radicals for saying that it would be impossible to fill half the offices with men who could take the oath. He was constantly besought to supersede the civil authority altogether, and rule only through the army. In this connection, he reported that he was greatly embarrassed by the want of judgment and of knowledge on the part of his subordinates and by the great desire of those who expected to profit from military intervention. So he issued an order informing the civil officials that as long as they performed their duties they would not be interfered with. The army officials were informed that they could in no case interfere with the civil administration before obtaining the consent of Meade. That the military were to act in subordination to and in aid of the civil authority;³ and that no soldiers or other persons were to be tried

¹ G. O. No. 42, 3d M. D., March 12, 1868. McPherson, 320. Meade's Report, 1868.

² In one case he reinstated Charles R. Hubbard, Clerk of the District Court, who had been removed by Swayne. This was contrary to instructions from the War Department, which forbade the reappointment of an officer who had been removed. *Annual Cyclopaedia*, 1868, p. 15.

* Report of Meade, etc., 1868. G. O. 10, 3rd M. D., January 15, 1868.

in court for acts done by military authority nor having charge of abandoned land or other property.¹

Courts and Juries.—There was much disorder by thieves and roughs on the river boats during the spring of 1868. To facilitate trials of those law breakers, Meade directed that they be arrested and tried in any county in the State where found, before any tribunal having jurisdiction of such offences.²

The courts were not interfered with as under Pope's rule. The judges continued to have white jurors chosen and the army officers, as a rule, approved. In one case, however, in Calhoun County, there was trouble. One Lieutenant Chas. T. Johnson, Fifteenth Infantry, attended the court presided over by Judge B. T. Pope. He found that no negroes were on the jury, and demanded that the judge order a mixed jury to be chosen. The judge declined to comply and Johnson at once arrested him. Johnson found that the clerk of the court did not agree with him and he arrested the clerk also. Pope was placed in jail until released by Meade.³ The conduct of Johnson was condemned in the strongest terms by Meade, who ordered him to be court-martialed. A general order was published reciting the facts of the case and expressing the severest censure of the conduct of Johnson. Meade informed the public generally that even had Judge Pope violated previous orders, Johnson had nothing to do in the case except to report to headquarters. Moreover, Johnson was wrong in holding that all juries had to be composed partly of blacks. This order stopped interference with the courts in Alabama.⁴

Meade and the Newspapers.—Meade did not approve of Pope's policy toward newspapers, and on February 2, 1868, he issued an order stating that being satisfied that General Order No. 49

¹G. O. No. 7, January 11, 1868, republishing G. O. No. 3, War Department, 1866.

²G. O. No. 47, 3d M. D., March 21, 1868.

³Pope was in feeble health, and this treatment hastened his death, which occurred shortly after being released from jail. Brewer, Alabama, 524.

⁴G. O. No. 53, 3d M. D., April 7, 1868. N. Y. Herald, April 1, 1868. Judge Pope was arrested for violating Pope's G. O. Nos. 53, 55, which certainly provided for mixed juries. Meade was simply putting his own interpretation on these orders.

had in its operations proven embarrassing, it was, therefore, modified. In the future, official publication was to be prohibited to such papers only as might attempt to intimidate civil officials by threats of violence or prosecution, as soon as the troops were withdrawn, for acts performed in their official capacity. However, if there was but one paper in the county, then it was to have the county printing regardless of its editorial opinions. "Opposition to reconstruction, when conducted in a legitimate manner, is," he said, "not to be considered an offence." Violent and incendiary articles, however, were to be considered an offense,¹ and newspapers were warned to keep within the bounds of legitimate discussion. The Ku-Klux movement, especially after it was seen that Congress was going to admit the State, notwithstanding the defeat of the Constitution, gave Meade some trouble. Its notices were published in various papers, and Meade issued an order prohibiting this custom. The army officers were ordered to arrest and try offenders. Only one editor came to grief. Ryland Randolph, the editor of the *Independent Monitor*, of Tuscaloosa, was arrested by General Shepherd and his paper suppressed for a short time. After trial by a military commission he was acquitted.²

The Freedmen.—General Meade was no negrophile, and hence under him there were no more long oration orders on the rights of "that large class of citizens heretofore excluded from the suffrage." He set himself resolutely against all attempts to stir up strife between the races and quietly reported at the time, and again a year later, that the stories of violence and intimidation, which Congress accepted without question, were without foundation. He ordered that in the State institutions for the deaf, dumb, blind and insane, the blacks should have the same privileges as the whites. The law of the State allowed to the sheriffs for subsistence of prisoners, fifty cents a day for white and forty

¹G. O. No. 22, 3d M. D., February 2, 1868. Report of Meade, etc., 1868.

²Report of Meade, etc., 1868. *Independent Monitor*, April and May, 1868. The *Independent Monitor* was a long-established and well-known weekly paper. F. A. P. Barnard, who was afterwards President of Columbia College, New York, was, when a professor at the University of Alabama, the editor of the *Monitor*, and under him it won a reputation for spiciness which it did not lose under Randolph.

cents a day for negro prisoners. Meade ordered that the fees be the same for both races, and that the same fare and accommodations be given to both. Swayne had abolished the chain-gang system the year before because it chiefly affected negro offenders. Meade gave the civil authorities permission to restore it.¹

Stay Laws.—The convention had passed ordinances which amounted to stay laws for the relief of debtors. In order to secure support for the constitution, these ordinances were to go into effect with the constitution. Complaint was made that creditors were oppressing their debtors in order to secure payment before the stay laws should go into effect. Though opposed in principle to such laws, Meade considered that under the circumstances some relief was needed. The price of cotton was low and the forced sales were ruinous to the debtors and of little benefit to the creditors. Therefore, in January, he declared the ordinance in force to continue unless the constitution were adopted. A later order, in May, declared that the ordinance would be considered in force until revoked by himself.²

Quarantine regulations were frequently issued from military headquarters. The law of the State permitting crippled Confederate soldiers to peddle without paying taxes, was extended to include all crippled persons.³

Trials by Military Commissions.—When the ghostly night riders of the Klan began to frighten the carpet-baggers and the negroes, Meade directed all officials, civil and military, to organize patrols to break up the secret organizations. Civil officials neglecting to do so were held to be guilty of disobedience of orders. Where army officers raised posses to aid in maintaining the peace, the expenses were charged to the counties or towns where the disturbance occurred.⁴

Nearly all prisoners arrested by the military authorities were

¹G. O. No. 31, February 28, 1868. G. O. 44, March 18, 1868. G. O. No. 69, April 24, 1868. McPherson, 320. Report of Meade, etc., 1868.

²G. O. No. 6, January 10, 1868. G. O. No. 79, May 20, 1868. McPherson, 320. Report of Meade, 1868.

³G. O. No. 67, April 22, 1868. G. O. No. 81, May 22, 1868.

⁴Report of Meade, 1868.

turned over to the civil courts for trial. Military commissions were frequently in session to try cases when it was believed the civil authorities would be influenced by local considerations. The following list of such trials is nearly complete: H. K. Quillan, of Lee County, and Langdon Ellis, justice of the peace of Chambers County, were tried for "obstructing reconstruction" and were acquitted; Richard Hall, of Hale County, tried for assault, was acquitted;¹ Joseph B. F. Hill, Wm. Pettigrew, T. W. Roberts and James Steele, of Greene County, were sentenced to hard labor for five years, for "whipping a hog thief and threatening to ride him on a rail;" Samuel W. Dunlap, Wm. Pierce, Charles Coleman and John Kelley, implicated in the same case, were fined \$500 each and sentenced to one year's imprisonment; Frank H. Munday, Hugh L. White, John Cullen and Samuel Strayhorn, charged with the same offense, were each fined \$500 and sentenced to hard labor for two years;² Ryland Randolph, editor of the *Monitor*, was tried for "obstructing reconstruction" in his paper and for nearly killing a negro, and was acquitted. During the trial Busteed granted a writ of habeas corpus and Meade and Grant both were prepared to submit to the decision of the court but Randolph wanted the military trial to go on.³

Meade was much irritated by the careless conduct of officers in reporting cases for trial by military courts which were unable to stand the test of examination. After frequent failures to substantiate charges in cases sent up for trial, strict orders were issued that subordinate officials must exercise the greatest caution and care in preferring charges, and in all cases must state the reasons why the civil authorities could not act. Sworn state-

¹ G. O. No. 64, 3d M. D., April 19, 1868. Selma Times and Messenger, April 29, 1868.

² These were the "Eutaw cases," and were tried at Selma. Meade commuted some of the sentences at once. The prisoners were sent to Dry Tortugas, and were later pardoned by Meade. The officials spoiled the effect of his leniency by putting the pardoned prisoners ashore at Galveston, Texas, without money and almost without clothes, while some of the party were ill. Annual Cyclopaedia, 1868, 17. Selma Times and Messenger, May 5, 1868. N. Y. World, May 28, 1868. G. O. No. 80, 3rd M. D., May 20, 1868.

³ Independent Monitor, April and May, 1868. Report of Meade, 1868. G. O. No. 78, 3rd M. D., May 13, 1868.

ments of witnesses must accompany the charges, and the accused must be given an opportunity to forward evidence in his favor.¹

The Soldiers and the Citizens.—The troops in the State during 1867 and 1868, though sadly demoralized as to discipline, gave the people little trouble except in the vicinity of the military posts. The records of the courts-martial would seem to show that the negroes were the greatest sufferers from the outrages of the common soldiers. The whites were irritated chiefly by the arrogant conduct of a few of the post commanders and their subordinates. At Mount Vernon, Frederick B. Shepard, an old man, was arrested and carried before Captain Morris Schoff, who shot the unarmed prisoner as soon as he appeared. For this murder Schoff was court-martialed and imprisoned for ten years.² Johnson, the officer who arrested Judge Pope, was cordially hated in Middle Alabama for his brutal conduct. He arrested a negro who refused to vote for the constitution; in a quarrel he took the crutch of a cripple and struck him over the head with it; hung two large United States flags over the sidewalk of the main street in Tuscaloosa and when the school girls avoided walking under them, it being well understood that Johnson had placed them there to annoy the women, he stationed soldiers with bayonets to force the girls to pass under the flags. For his various misdeeds he was court-martialed by Meade.³

Most of the soldiers had no love for the negroes, carpetbaggers and scalawags, and at a Radical meeting in Montgomery, the soldiers on duty at the capitol gave three groans for Grant, and three cheers for McClellan and Johnson. For this conduct they were strongly censured by Major Hartz and General Shepherd.⁴

¹ G. O. Nos. 64 and 65, 3d M. D., April 19 and 20, 1868.

Note.—During the eight months of Meade's administration in the Third District, there were thirty-two trials by military commission in Georgia, Florida and Alabama. Only fifteen persons were convicted. The sentences in four cases were disapproved, in eight cases remitted, and two cases were referred to the President, leaving only one person confined in prison. Report of Meade, 1868.

² Selma Messenger, October 25, 1867.

³ Montgomery Mail, June 17, 1868. Independent Monitor, June 16, 1868.

⁴ Annual Cyclopaedia, 1868, 17. Montgomery Advertiser, June 5, 1868.

The soldiers sent to Hale County knocked a carpet-bag Bureau Agent on the head, ducked a white teacher of a negro school in the creek, and cuffed the negroes about generally.¹

From Martial Law to Carpetbag Rule.—The act providing for the admission of Alabama in spite of the defeat of the constitution was passed June 25, 1868.² Three days later Grant ordered Meade to appoint as provisional governor and lieutenant-governor those voted for in the February elections, and to remove the present incumbent.³ So Smith and Applegate were appointed as governor and lieutenant-governor, their appointments to take effect on July 13, 1868, on which date the legislature said to have been elected in February was ordered to meet.⁴

Until the State should comply with the requirements of the reconstruction acts all government and all officials were to be considered as provisional only. The governor was ordered to organize both houses of the legislature, and before proceeding to business beyond organization each house was required to purge itself of any members who were disqualified by the Fourteenth Amendment.⁵ A few days later, Congress having admitted the State to representation, Meade ordered all civil officials holding under the provisional civil government to yield to their duly elected successors. The military commander in Alabama was directed to transfer all property and papers pertaining to the government of the State to the proper civil authorities and for the future to abstain from any interference or control over civil affairs. Prisoners held for offences against the civil law were ordered to be delivered to State officials.⁶ This was, in theory, the end of military government in Alabama, though, in fact, the army merely retired into the background to remain for six years longer the support and mainstay of the so-called civil government.⁷

¹ Ku-Klux report. Alabama testimony, 1285-1286.

² McPherson, 337.

³ Report of Meade, 1868.

⁴ G. O. No. 91, 3d M. D., June 28, 1868.

⁵ G. O. No. 100, July 9, 1868.

⁶ G. O. No. 101, July 14, 1868.

⁷ The volume of orders numbered 598 in the Adjutant-general's office at Washington contains the General Orders of the Third Military District. Volume 599 relates to civil affairs in the same district.

The rule of the army had been intensely galling to the people, but it was infinitely preferable to the régime which followed, and there was general regret when the army gave way to the carpet-bag government. In January, 1868, a day of fasting and prayer was observed for the deliverance of the State from the rule of the negro and the alien.

"WATAUGA OLD FIELDS."

By N. E. Hyder, Elizabethton, Tennessee.

"Watauga Old Fields," Carter County, Tennessee, made famous as being the first permanent settlement of the Anglo-Saxon race west of the Allegheny Mountains; the place where the first self-constituted court of five was organized and exercised its power; where the first courthouse and jail were erected, and the rendezvous at Sycamore Shoals of the heroes of King's Mountain, has a history that antedates all this by perhaps thousands of years. Judge Andrew Greer, an Indian trader and the first settler in these "Old Fields" (attracted by their beauty and fertility), asked the Cherokee chiefs about them and was told that they were always there." They had neither knowledge nor tradition of when or by whom they had been occupied. It is the intention of this paper to record a few things concerning these "Old Fields" and their inhabitants as gathered by personal observation and investigation. The land embraced in and surrounding the "Watauga Old Fields" is as old as any in the United States as evidenced by forests of fir, pine, stunted oak and tamarack such as are now found in latitudes much farther north. Petrified wood is found in abundance. Through these forests must have roamed the reindeer and elk.

That it was inhabited at a very early period is proven by the stone tools, ornaments and weapons both of the paleolithic and neolithic ages. The "Watauga Old Fields" proper extended from the mouth of Stony Creek down the river to the mouth of Buffalo Creek at the bend of the river, about eight miles. And wherever there was a level or bottom piece of land along any river or creek in Carter County, there was an old field or deserted village, as proven by finding stone implements, broken pottery or kitchen-middens and stone mills of various sizes from one-half bushel down to one-half pint. A large cemetery was known to be about one-half mile northeast of Elizabethton from which had been taken beads, stone axes, arrow points, pottery (whole)

and a few copper implements. But the high water of 1901 exposed other cemeteries in these "Old Fields" with like deposits in them and rough stone knives, or scrapers, "pear shaped." Two peculiar stones have been found, one a rough sandstone about twenty inches long and five inches in diameter with a groove around the center polished like the groove around the stone axe; the other is the tool that was used in cutting these grooves and polishing stone implements of utility, war and ornament. It is in the shape of a common oil stone used by carpenters to sharpen their plane bits and other tools and is about six inches long by three-fourths of an inch thick and so hard that tempered steel will scarcely scratch it. From the careful burial of their dead we are led to believe that they had knowledge of the Oriental world either through history or tradition, for in all Oriental countries peculiar honors have always been paid to the remains of the dead. These graves that have been washed open in the "Watauga Old Fields" where tradition made no mention of a grave have all been placed *east* and *west*, a perpetual monument to Masonic integrity. Their burial custom according to Masonic usage shows that they were civilized and practiced the ancient and "mystic rites" of the Masonic order. In these graves are found clay coffins nearly two inches thick and curved to fit the dead body (many fragments as large as the hand are yet to be seen). From the depth of the implements, pieces of bone and clay coffins we infer that the dead body was placed near the surface of the earth and the coffin constructed around and over them either of moistened or baked clay and then mounded with dirt or sand.

There is no evidence here of forts, houses or places of worship. Ashes and coal have been dug out several feet below the surface of the earth. That the country was densely populated is proven by the number of these "Old Fields" and the large cemeteries already exposed. That they were an agricultural race is shown by the "Old Fields" themselves and the rude implements of husbandry found. The inhabitants are industrious for they had the rough implements and material of nearly every craft of ancient times. That they were warlike is shown by their weapons. That they had tribal organization is shown by

the large cemeteries. A few tumuli found in the gaps of the higher mountains show that they were superstitious. Who they were and from whence they came and what became of them will perhaps remain a mystery—for all ages to come. They are as completely lost as the "lost tribes of the children of Israel" unless they are a part of these tribes. Reasoning from his gregarious customs, implements of husbandry, pottery, etc., we may connect him with either the Incas of South America, the Toltecs of Central America or the Aztecs of Mexico. This is a reasonable inference, but not conclusive. Whether he was a white or a colored man is a matter of mere conjecture.

Whether the paleolithic man was driven out by the neolithic man or each absorbed or exterminated by the other is a matter for future investigation, but that each existed here is as clearly proven from the age of the land and remains found as any archaeological fact can be.

DUNLAP-BRADY CORRESPONDENCE.

[The family to which General Richard G. Dunlap belonged was one of the most noted in the early history of Tennessee. The father, Hugh Dunlap, was a native of Ireland, and was one of the pioneer settlers of Knoxville. In 1794 he married Susannah Gilham, of Virginia, who bore him fifteen children. The brothers of General R. G. Dunlap were: William C. Dunlap, of Bolivar, Judge and Congressman, and his twin brother, General Hugh Dunlap, of Louisiana; James T. Dunlap, of Nashville, Comptroller of the Treasury of Tennessee; General John H. Dunlap, of Paris, and Ripley Dunlap, of Humboldt.

General R. G. Dunlap was the first white child born in Knoxville. He was educated in East Tennessee schools by Professor S. G. Ramsey and Rev. Isaac Anderson; served in the War of 1812, and the Seminole campaign in Florida in 1817; was a member of the Tennessee Legislature, representing the counties of Knox and Anderson, in 1829-31. He removed to Texas, and was a member of the Cabinet of President Lamar, Secretary of War, and Minister from the Republic of Texas to the United States. He died in New Orleans in 1841.

General Brady was several times a representative in the General Assembly of Tennessee from Rutherford County.]

KNOXVILLE, 1834.

I write this not from vanity but for my family and friends.

In December, 1817, I was with my father in Middle Tennessee, when I heard that General Jackson was then on the eve of leaving Nashville to take command of the Southern army and carry on the war against the Seminole Indians in Florida. I insisted on going forthwith to Nashville and joining the General's life guard, being then just grown and not having yet commenced the study of my profession. My father said: "My son, you go home and raise a company and overtake General Jackson's army; this will give you more power to do good to your country than to be a mere life guard. And moreover, the life guards rarely ever have an opportunity to distinguish themselves and I know you will not like the place. Return home and I will help you raise a company, which will give you an opportunity to show your merit as a soldier and officer. We left your mother in bad health and she will be unhappy to hear that you have gone among strangers. She will no doubt agree that you should serve your country with neighbors and friends as companions and

allow at least one of your brothers to go with you." When I passed through Nashville the General was gone. I applied to Colonel Williamson, one of his old and valiant colonels, who gave me an order to raise a company. The day of the first rendezvous of the company at Kingston I was afraid that my youth would defeat the enterprise and went to two gentlemen and offered not to oppose them if they would agree to join and head the company. They refused, as no call had been made on East Tennessee by General Jackson. This produced much uneasiness among the soldiers, as they were told that I was too young and hot-headed and that the General would not receive them. I paraded the men, told them what I had offered the gentlemen, that I would hold an election for every officer in the company, that if any gentleman who had the character of an officer would say that he would serve as captain, I would not oppose him but would vote for him. I was the only one voted for as captain and the other officers were elected. The same evening I called them together and told them what I would do as their captain, that I would defend their rights but they must and should obey me, that we were then about entering into a proud service and that obedience was necessary and due. I presented to them as well as my youth and inexperience would allow, the glories and honors awaiting the faithful discharge of the soldiers' duty.

Envious persons clandestinely excited in their minds the fear that I would be cruel and tyrannical, as I had never had much to do with the people. They clustered around in the tavern and commenced with their tales of fear, both as to my conduct and the probability of being rejected by General Jackson. I tried to appease them and demanded the names of these envious parties. I became enraged and in the presence of the troop, tore the muster roll in pieces, saying, "I want no timid or reluctant soldiers—you are released from your voluntary enrollment: I then said, "On this night I camp on General Brown's old field and will remain there alone until this day week, when I shall set out to meet the army alone;" and invited all cowards to go home and soldiers who did not fight for pay to join and march with me to the army and aid to redress our country's wrongs.

Seven of the company marched with me to the place of encampment and there remained a week. On this day I had a genteel company. As I was leaving town, Governor McMinn, at my request, addressed the company and gave me a letter to General Jackson. After this, had I remained a week, I could have raised a regiment. Mr. Samuel Martin and Mr. Gideon Morgan, merchants, both opened their purses and stores to me and took orders on the Government, which were promptly paid.

“Representative Hall, Nashville, January 13, 1830.

“Dear Sir: This will be handed to you by my friend, General (Richard) Cheatham, and I hope you will give me a speedy reply, as our labors are about to close and we will again be separated by a return to our homes.

“In 1818, I commanded a company of East Tennessee volunteers during the Florida campaign, as you will remember, as you were the adjutant of the regiment to which I belonged and at the close of the campaign commanded as Lieutenant-Colonel. You commanded the detachment ordered from the first regiment at the battle of Barancaz. You were present when I volunteered myself and company to meet the enemy, and heard our gallant and lamented Colonel Dyer give me the right of battalion, with the emphatic language that when his soldiers wished for the dangers of battle, he would never withhold from them the opportunity to prove their valor. I marched at the head of the battalion to the scene of action, with you at my side. After twenty-four hours the battle was over, we returned for food and rest, with victory to the army. The next morning you came to my quarters and informed me, that as commander of the detachment, you had made a report of my conduct to General Jackson, and in the kindness of your heart, said I had gained immortal honor and would be distinguished in the official report. You said you had informed General Jackson that we would have been driven from the field, disgraced, had it not been for my promptness and energy. I replied that I felt very grateful for your good opinion but I thought your kindness was disposed to do me over justice. I said, ‘Colonel Brady, I want no single honors but it would be very gratifying to have my company distin-

guished, as they met every danger like true soldiers.' You replied, as I recollect, that you had given them due credit as they deserved. I informed my soldiers of your flattering report and they went home speaking of the matter, more to my praise, perhaps from what you said, than from the merits of my conduct. But when I saw the report, no name from the detachment under your command was mentioned. The hopes of a youthful soldier were blighted and my conjectures were consequently not favorable to you. In May, 1826, I visited General Jackson and during my stay informed the General of what you had informed me you had reported to him. I told the General that I wanted no honors at this distant day for my past conduct, but that I had a right to the truth. He said he had no recollection that you had ever mentioned my name to him and further said, that until his return to Nashville did he know that I commanded a company in said detachment, that his aide, Colonel Gadsden, then informed him that injustice had been done me. I have given you in a hasty manner the facts and hope that you will be good enough to give me a candid and prompt reply through my friend. This course is as much due to yourself as to me. I care but little at this day for the honor that has passed away but I want the truth or an explanation.

"I am very respectfully yours,

"General William Brady.

R. G. DUNLAP."

Murfreesboro, October 10, 1830.

"Dear Sir: Your letter of the 15th of January, 1830, at the close of the session of the Legislature would have been answered sooner, but the hurry and bustle incident upon such occasions rendered it inconvenient at that time. After my return to Rutherford, I searched among my papers for your letter and could not find it. I have since discovered that I left it in one of the drawers of the table in the Representative Hall with other papers of much importance. The letter is now before me and it is a source of regret that so much delay has taken place in the explanation of a matter which only requires to be told to be understood. You commanded a company as stated in the Florida campaign, and so far as your individual conduct or that of your

officers or soldiers under your command came within my cognizance, it was deserving of praise. I was adjutant of the first regiment to which your company was attached and lastly commanded as Lieutenant-Colonel, and therefore opportunity was offered me of observing the deportment of officers and men belonging to the regiment. At the particular point to which your letter more immediately refers, Barancaz, I have a distinct recollection of the occurrence on that occasion. A detachment was ordered from the first regiment commanded by Colonel Dyer to be put in readiness to attack the fort at its lower or southern angle. Dyer did not select for the service any particular portion of his command but called for volunteers. I believe the whole regiment would have marched to the front, had so many been wanted. I well recollect you not only volunteering yourself and company, but soliciting as a special favor the post of responsibility and danger in the contemplated assault. It was granted to you with marks of pride and feeling for your patriotism. We went to Barancaz and so far as I observed or was advised, all did their duty, and I well recollect that I then told you that your command had signalized themselves and that I should mention you favorably to the commanding general; this I did on the next day after our return to the encampment, in as strong or stronger terms than you have repeated them in your letter. I could have no motive in withholding merited praise from any individual associated on that occasion. By a recurrence to the official report, detailing the movements of the troops under General Jackson in that period, it will be seen that but a passing notice is taken of the affair of the Barancaz, and if I am not mistaken, the names of but two individuals are spoken of in connection with the transaction—Captains Gadsden and Call; from the tenor of the report I presume that the General did not think the affair of great moment, however deserving the conduct of individuals in achieving the surrender. The subject being military, I have spoken with the frankness of a soldier and trust it will be satisfactory. With considerations of highest respect.

“Yours Ob’t.

“WILLIAM BRADY.”

"Nashville, September 6, 1832.

"Dear Sir: Our mutual friend, Judge (Hugh L.) White, will hand you copy of my letter to General Brady, stating the substance of what passed between him and myself the morning after the surrender of Fort Barancaz. In this you will see that I gave the substance of a conversation between you and myself in 1826, while I was on a visit to the Hermitage. I enclose you also General B's answer. I informed him that at some suitable time I intended to lay before him a copy of my letter and his answer. I am aware that this may seem a small matter, yet as the only East Tennessee company in the Seminole campaign in 1818 was commanded by me, I deem it due them that the affair be fairly adjusted by their commanding general. I am urged more to this from the fact that my company performed most of the work during the siege of the fort, the circumstances of which I have detailed to Judge White. I forbear to detail them to you as I am so connected with the circumstances that a relation of all the facts would force an appearance of egotism or desire to attain praise. My command, I know, prevented the detachment from being unprepared to meet the artillery of the enemy after the dawn of day. We erected the battery during the night, under the sounds of the cannon, as you know, and we remained on the ground twenty-four hours without food or water. When we returned to the army, we carried the news of the surrender of the fort. Small as the affair may seem to one whose military career has been marked by such a brilliant scene of conquest and glory, as has fallen to your happy fortune, ought I not, nevertheless, to see that my soldiers who were my neighbors and friends, shall have justice? This is all I ask and I ask nothing less.

"I am very respectfully your friend,

"R. G. DUNLAP.

"General Jackson, President United States, Nashville."

REMINISCENCES.

BY JUDGE NATHANIEL BAXTER.

[The following paper was prepared with much care by the late Judge Nathaniel Baxter, for the *Round Table*, a journal of high literary order established in Nashville in February, 1890. The *Round Table* was not a business success, and suspended publication before the appearance of Judge Baxter's contribution. After the discontinuance of the *Round Table*, Judge Baxter's article appeared in a local paper of very limited circulation, a copy of which could hardly be found now. We reproduce it here because of its great historic interest, being written by a man who was the contemporary and peer of the great men about whom he wrote. Moreover, his description of Governor Polk is a fitting introduction to his executive correspondence, published in this issue.]

You ask me to give you some reminiscences of lawyers when I first came to the bar. The request may be an ungenerous method of yours to prove by me perhaps what it would be difficult to prove by any one else, and that is, my age. But whatever the motive, I do not object occasionally to recall the recollections of those by-gone days and by-gone friends.

In the years 1836 and 1837, I was a student at law under Judge Edmund Dillahunt near Columbia, and it was there and then, I made my first acquaintance with lawyers and legal proceedings. At that time the population of Columbia, I presume, did not exceed fifteen hundred or two thousand souls. The Columbia bar was then an ornament to the state and in all my subsequent experience, I have never found so many lawyers of equal ability in any village of the same size. And never have I found a Bar anywhere that surpassed it for high toned honor and integrity.

In 1836-7, the Columbia Bar included the following members on its roll:

James K. Polk, afterwards President of the United States.

A. O. P. Nicholson, afterwards Senator in Congress and Chief Justice of the Supreme Court of Tennessee.

Gideon J. Pillow, afterwards Major General in the United States army of volunteers in the war with Mexico.

Terry H. Cahal, member of the Constitutional Convention of 1834, and afterwards Chancellor.

Samuel Davis Frierson, Chancellor.

James H. Thomas, afterwards member of Congress for two or three terms.

Barkley Martin, member of Congress for a like period of time.

William P. Miller, afterwards Circuit Judge.

Edmund Dillahunt, Circuit Judge.

William H. Polk, afterwards charge d'affaires to Naples, Mexican Commissioner and member of Congress.

John H. Dew, who served several times in the Legislature.

Robert L. Cobbs, author of Haywood and Cobbs' Revisal of the Laws of Tennessee.

Russell Houston, afterwards a resident of Nashville and member of the Legislature from Davidson County and still later a resident of Louisville, Ky., and Attorney-in-Chief for the L. & N. R. R. Co., which position he still retains.

This list does not include a brood of law students and youngsters then pressing the shell but not yet hatched or fledged, who afterwards developed into ornaments to their profession.

Mr. Polk was not eminently distinguished for his legal attainments, not for want of natural ability but because his popular manners made the temptation to enter the field of politics irresistible to so young a man, and once in the maelstrom, there was no escape—politics was his destiny and the legal profession was measurably abandoned.

From his first entrance into politics in the year — he never was out until his Presidential term expired except the four years that James C. Jones was governor, that is, from 1841 until he was elected President in 1844.

I first saw Colonel Polk in 1832, in the afternoon of a hot sultry day, in Franklin. It was at a house there known as "Robertson's Tavern"—afterwards, and for many years known as "Pavishes Hotel." On the front of the tavern was a long piazza, perhaps fifty feet in length. Colonel Polk was walking to and fro, apparently absorbed in thought, when presently a travel-worn, dust covered gentleman rode up on horseback, with an umbrella over him, and a pair of saddle-bags under him.

He let down his umbrella and dismounted at a "hitching post" that stood in front of the tavern—hitched his horse, took off his saddle-bags, and walked into the piazza without ceremony. Colonel Polk met him, offered him his hand and with a smile looked him in the face with an expression of uncertainty and inquiry which seemed to ask the question, "Am I mistaken?" The traveler returned the gaze, with the reply, "You are mistaken. You don't know me." Said Colonel Polk, "I was in doubt, Sir, until you spoke; but now I am sure I know you—this is Colonel Holman, of Lincoln County." "That is my name," replied the traveler, "and I can tell you the time, place and circumstance of our first and only meeting that I now recall." He then proceeded to mention the time, place and occasion, which was at a Fourth of July barbecue, somewhere, I think, in Lincoln County, and mentioned a conversation they had on that occasion. They then reckoned the time that had elapsed, and it had been ten years. Colonel Holman then said, "I have seen you Colonel Polk, and heard you speak twice since then, but had no conversation with you on either occasion, and I am sure you did not know that I was one of your auditors, either time. You must have a most remarkable memory." To which Colonel Polk made this reply: "Colonel Holman, I don't think I was ever introduced to a man and talked with him ten minutes, that I ever afterwards forgot him."

He was then 37 or 38 years old. His person was handsome and attractive. From memory I should guess he was about five feet, ten inches, erect in his carriage, symmetrical in form, excellent constitution, with unusual muscular strength and activity, with great capacity for physical labor and endurance. I should judge him to have weighed 155 or 160 pounds. His hair was coal black, the complexion a little dark, with a keen pair of steel grey eyes, set well back in his head. His mouth was handsome and expressive, his lips were neither thick nor thin, but inclined to thin. He never wore beard. His forehead was rather broad than high. There was no surplus flesh about his face nor any want of flesh. His chin was well proportioned with his face. The whole face, taken together, was clear cut,

flexible and expressive, with aristocratic consciousness of superiority to the common mass. He dressed well.

The first time I ever heard him speak was in 1834. It was at the village of Moorsville, then in Maury County, now in Marshall. Judge Grundy spoke on the same occasion.

Colonel Polk's speech was mainly in defense of General Jackson's policy in regard to what was known in that day as the "French Indemnity" question. During the Napoleonic wars, the French had depredated upon American commerce and in violation of the laws of nations, for which the French Government conceded its liability to make reparation but did not concede the amount claimed by the United States, and up to that time the United States Government had never been able to get a settlement and payment of what was due. General Jackson determined to have it settled and paid. France continued to interpose one dilatory plea after another until General Jackson lost patience and in a message to Congress on the subject, used some threatening language toward France at which France flashed up and displayed a good deal of temper, and for a time it looked very much as if we might have war.

The political enemies of General Jackson took sides with the French and greatly abused General Jackson for what they styled a gross breach of international courtesy and an uncalled-for offense to the honor and pride of a gallant nation who had been our best friends in the days of our greatest trouble. Such denunciations had been so thundered into the ears of the people by the orators and newspapers of the day opposed to General Jackson, that quite an excitement had been gotten up against him, and the object of Colonel Polk and Judge Grundy on that occasion, was to present the historical facts to the people and justify the course of General Jackson.

The schoolboys had got to discussing the subject in their debating clubs in Columbia and one of them had gone so far as to say he hoped that if war did result from General Jackson's policy, the first ball fired from a French cannon might strike General Jackson's head and cut it off close to his shoulders. Colonel Polk, referring to this speech said: "Do you know, gentlemen, what I think ought to be done with a boy who would utter

such a sentiment against that brave old Hero and Patriot, who stood like a wall of fire when England hurled her avalanche of brutal myrmidons upon the ramparts of New Orleans, yelling like demons, their beastly watchword—"Beauty and Booty," and when the lives and honors of our fair women had no shelter from the storm but his gallant heart, his wise head, his strong arm and indomitable courage? I don't know how other fathers feel, but if I had a boy, and he were to utter such a sentiment, I think I should take him out behind the house after dark and I would anoint him with hickory oil and rub it in until it produced such a glow that he would feel all next day like he had been sitting on an oven lid heated to a cherry red."

His style of oratory was peculiarly his own. It was singularly popular. It was sufficiently grave and dignified to meet the demand of the cultured and refined. It was sufficiently wag-gish and humorous to bring the shouts and huzzas from the "wool hat b'hoys." There was something in his manner and delivery that suggested the idea of labor, effort, power—of a giant defending himself against the onslaught of a thousand assailants, deliberate yet vehement, and he won the sympathy of his auditors by the gallantry and strength with which he downed each foeman with whom he grappled. He was a tribune, and his style, forensic. His gestures, though not too frequent, were vigorous and nervous, and though not theatrical in the ordinary sense of that term, yet the features were exceedingly flexible, and he often expressed more with his eyes and the contortions of his face, than he uttered with his tongue. His innuendoes expressed more than he uttered. His powers of ridicule were prominent, and but few men excelled him in the art. His anecdotes were sufficiently numerous and always well selected and happily applied as well to the subject as to the audience. He was not very imaginative. He generally kept below the clouds. He seldom indulged in flowers of speech but sometimes he did, and in my boyhood days, I thought some of them were grand and sublime. And so did the crowd to whom they were addressed. It was a promiscuous crowd. One of them so impressed me with its sublimity, I have never forgotten it. He was defending General Jackson against his wicked maligners

and wound up his defense with a glowing eulogy upon his character and the heroic service he had rendered his country, and when he came to speak of the battle of New Orleans, he said—"he grappled with the British lion on the plains of New Orleans and when he rose victorious from the bloody field, he shook from his gory locks the blood of his country's enemies." The description may seem unique but expressed with his peculiar emphasis and manner, it made the groundlings howl. It was the proper thing to say to those to whom it was addressed.

There was much sameness in Mr. Polk's speeches during the years I used to hear him, that is from 1834 to 1844. It was mostly during the formation period of the old Whig party in Tennessee, and embraced the period when John Bell, Hugh L. White and other leading politicians in Tennessee, split off from General Jackson and refused to support Mr. Van Buren. I don't know, but I don't believe Mr. Van Buren was a great favorite with Mr. Polk. In this conjecture, however, I may do him injustice, for I was not in Mr. Polk's political confidence and never knew anything of his views, either of men or measures, beyond what he proclaimed from the housetops, or at least from the stump, or through the newspapers.

But Mr. Polk was a partisan in politics, was a Democrat and a member of the Democratic party, and nothing but treason to his country could ever have shaken his loyalty to his party; and without stopping to weigh the consequence to his future fortunes, he threw himself into the breach, ranged himself by the side of General Jackson and hoisted the Van Buren flag and fought the battle most gallantly. In his speeches, he dealt but little in the abstract, philosophy or in explaining the reason which led through settled principles from cause to effect. In guiding a constituency of plain, uncultured men, he found it much more easy to reach their hearts than their heads. If a measure was obnoxious to him and he desired to defeat it, he always felt sure of his game, if he could connect it with some man or political party who had already become odious to his constituents. And vice versa, if he desired to sustain a measure, he would if possible, connect it in some way with some man or party known to be popular with his constituents. Hence,

in fighting the uprising Whig party of that day, he sought to connect it with the Old Blue Light Federal party that became so odious during the war of 1812 and whose infamy had been kept fresh and green in the memory of his constituency; and contrasted the Democratic party by associating it with General Jackson who had vanquished the British Lion and whom they all knew and worshipped and with Thomas Jefferson who had vanquished the Federalist party and Aaron Burr, and drove them from the councils of the nation into the shadows of shame and obscurity.

He would then go back to Alexander Hamilton and enlarge upon his idea of royalty and strong government. From Hamilton's head he would step over Washington's in silence on to the head of John Adams the elder, and expatiate upon the alien and sedition laws of his administration. From Adams the elder, he would pay his respects to the Hartford Convention; he would then leap over to John Q. Adams, the son of the old autocrat, and then dwell upon the "bargaining, intrigue and corruption," between him and Henry Clay by which General Jackson had been cheated out of the Presidency and their people out of their votes.

And then there was Henry Clay, the head and leader of the Whig party, which fixed the descent of the new light Whig party by direct line from the Old Blue Light Federal Party. This was the skeleton sketch of the pedigree of the new Whig party; but the skeleton of the family tree was filled out with collateral branches of abolitionists like clusters of grapes overhanging the whole tree—and what true Southern man could afford to be found in company with such a family?

After thus paying his respects to the Whig party, he would then turn to his "labor of love" and deraign the Democratic party from Thomas Jefferson, through Madison, Monroe and down to Jackson, the Ajax of all that was great and good. His eulogy upon Jackson was the conclusion of his speech. This was the general tenor of every speech I ever heard him make, from the first outcropping of the Whig party down to his election to the Presidency. True he would sometimes spice it with a short discussion of the tariff, then again with a discussion of

the United States Bank, or sometimes with the Sub-treasury and other political topics of the day. But I don't think he ever neglected to deraign the pedigree of the Whig party.

But notwithstanding his speeches were, to some extent, "a twice told tale," they were so spiced with sarcasm, anecdote, wit, humor and manner and the undefinable magnetism of the man, if you ever came within sight of him and in hearing of his voice, you could never leave until he finished, and this, whether you were Whig or Democrat.

James C. Jones was greatly admired as a stump speaker, and certainly he had but few superiors, but to an intelligent and cultivated audience, his speeches compared to Mr. Polk's like the cheap tinsel of an actress' stage costume to the royal robes of the legitimate Queen. Jones excelled him in repartee—he excelled all the men I ever heard. In anecdote he was fully Mr. Polk's equal, if not his superior. But when he came to the discussion of subjects requiring general intelligence and accurate historical information, he was deficient in quality and it was manifest, that what he had, had been newly and imperfectly acquired—in other words, he spoke as if he had crammed for the occasion.

Nor yet was Mr. Polk distinguished for his intelligence except in the political history of the United States. In that, he had few, if any, superiors.

Mr. Polk was the youngest man who had occupied the presidential chair, up to the date of his election, and he looked quite as young as he was. His hair was crow black, and if any gray hairs had made their appearance, they were so few as not to be noticeable. He was springy, active and energetic in all his movements, and was to all appearance a young man.

Mrs. Polk was some eight or ten years his junior, and had been even less impressed with the scars of time than he had. Though a very handsome woman, she never passed as a belle or a beauty—her ambition never sought or valued that sort of distinction. She was her husband's wife and monopolized his affections as fully as any wife ever did, and with that, the measure of her ambition was full. But she had more elements of attractiveness and popularity—more of that nature which draws upon the admiration and sympathy of men and women, and make every

body, regardless of party politics, desire her success and happiness in life, than is often found in her sex; and beyond all question much of her husband's success in life was due, or at least was helped on largely by, the kindly feelings and admiration that every one felt for her who had the honor of her acquaintance. I never saw a Whig so vile that he would not have been pleased to see her in the White House, if she could have gotten there without her husband.

I resided in Columbia at the time Mr. Polk was elected President. Though opposed to him in politics, I always admired him as a man, and just before he left for Washington I called on him at his office to pay him my respects, and in the course of conversation remarked to him, "I suppose you will visit us occasionally during your term." In reply he said: "We never know what is in the future, but at present I don't think it probable I shall be in Tennessee again until my term expires. There is always enough that requires the personal attention of a President to occupy all his time, and you know it is not my habit to turn over to agents what my duty requires I should do myself." And I don't think he was in Tennessee during his term.

It was during this time that I removed from Columbia to Nashville. Business called me back to Columbia. As I was returning home again, in company with Chancellor Cahal, whom should we meet on the road but the ex-President and his wife traveling alone, in a private carriage. They were returning from Washington to their home in Columbia. Mrs. Polk looked as natural as life, with scarce a perceptible change in the four years of absence. But Mr. Polk had changed until I scarcely knew him. From a pure black, his hair had become perfectly white. It did not change to a silver gray, but to a milk white. In his face was a sensorial gravity more sedate than when he left Columbia. He looked care-worn and tired. But upon meeting old acquaintances from his old home he brightened up and resumed his quondam cheerfulness. When we parted Chancellor Cahal said to me: "You have now seen the difference between the rising and the setting sun. When he left for Washington, his escorts were thousands. Now that his power and patronage is gone, his faithful wife alone remains by his side, and doubtless he is glad they are gone."

EXECUTIVE CORRESPONDENCE OF GOVERNOR JAMES K. POLK.

[George Bancroft's estimate of President Polk, that he was "prudent, far-sighted, bold, exceeding any Democrat of his day in his undeviatingly correct exposition of Democratic principles," needs, in my opinion, to be supplemented by the statement that he was the most laborious, painstaking and exact of all our public men. It is now well known that he kept a diary during his administration as President, which, when typewritten, fills twenty-four volumes, averaging about one hundred large octavo pages.

During his administration as Governor of Tennessee, he kept in his office a large blankbook, in which he transcribed, in his own well known, neat and accurate handwriting, all his official correspondence, and elaborately indexed the same, both under the subject matter and the name of the correspondent. The book is among the archives of the Secretary of State's office.]

"Executive Department, Nashville, November 4, 1839.

"Capt. Jas. S. W. Hawkins.

"Sir: Your letter of the 11th ult. addressed to my predecessor has been received. By reference to the Militia law of 1825, ch. 69, sec. 112, it will be seen, "that in order to entitle any company to the use of a portion of the public arms, it shall be necessary for the commandant of the regiment to certify that such company consist of not less than forty rank and file, and that it is a uniform volunteer company, and that every member of the same is in complete uniform"—and the captain of the company is required to execute his bond with sufficient security to be approved by the Governor and payable to him and his successors in office, conditioned that the arms he may receive, shall be kept in a soldierlike manner, and free from injury, and that they will be delivered whenever called on for the use of the State. Upon the receipt of the certificate and bond as required by the act referred to, the arms will be delivered to your order.

Very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, November 4, 1839.

"R. G. Douglas, Esq.

"Sir: Your letter of the 14th ult. has been received. The Certificate of the Directors of the Gallatin and Cumberland Turnpike Company which you enclose is deficient in not specifying the amount actually paid in by the stockholders. The certificate sets forth "that stock to the amount of two thousand dollars has been paid to the treasurer of said company" but does not state whether it be in addition to the amount previously paid in or not. By reference to the act of 1838, ch. 107, sec. 23, you will see what is required in order to authorize the issuance of the bonds of the State in such cases.

The certificate required by the act cannot be too full and explicit. When the requisitions of the law are complied with the bonds will be promptly issued.

"I have the honor to be

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Nashville, November 6, 1839.

"Frederick R. Smith, Esq.

"Sir: I have received your letter of the 21st ult. covering the Certificate of the President and Directors of the Big Hatchie Turnpike and Bridge Company, setting forth that "there has been paid in on the part of the individual stockholders the sum of fourteen thousand dollars" being the sum of eight thousand dollars in addition to the sum of six thousand heretofore certified to have been paid in, and upon which the bonds of the State for six thousand dollars were issued on the 14th of June, 1839. Deeming the certificate forwarded by you to be a compliance with the law on the part of the individual stockholders; I have caused the bonds of the State to the amount of eight thousand dollars to be issued for the benefit of your company, and have in pursuance of law delivered the same to the bank of Tennessee.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, November 12, 1839.
"To the President and Directors of the Clarksville and Russellville Turnpike Company.

"Gentlemen: I have received your letter of the 2nd Inst. notifying me that 'the stockholders of your company have paid to the treasurer of said company the sum of ten thousand dollars, in addition to the sum of five thousand dollars, on which bonds have heretofore issued' and requesting that the bonds of the State to the amount of ten thousand dollars may be issued. Before any action can be had on your application, it will be necessary that the act of 1838, ch. 107, sect. 22, should be complied with on the part of the directors of your company. By the act referred to, it is required that 'two-thirds of the entire board' of directors, shall certify that 'in their opinion' the 'payment of the stock subscribed by individual stockholders' is well secured, 'or that the individual stockholders are good and solvent persons, and fully able to pay the amount of stock subscribed by each of them.' Upon examining the records of the office of Secretary of State, no such certificate appears to have been made by your company. As soon as the certificate shall be made, the law having been in other respects complied with, the bonds of the State will be issued as requested.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, November 14, 1839.
"W. I. Anderson, Agent and Keeper of the Penitentiary.

"Sir: Your letter of the 5th Inst. stating, that Lewis D. St. Leger, a convict in the Penitentiary 'has conducted himself with the utmost propriety'—and recommending that his sentence be commuted, is not in strict conformity with the act of 1835, ch. 63, sect. 4. If you are enabled, (conforming to the language of the law,) to certify that the 'conduct of the prisoner has been exemplary and unexceptionable' during the whole period of his confinement, and feel it to be proper to make such a certificate, I will promptly consider of his case.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, November 23, 1839.

"Dear Sir: Your letter of the 19th Inst. enclosing the Certificate of the Directors of the Nashville and Kentucky Turnpike Company, has been received. The certificate forwarded being in conformity to law, the subscription on the part of the State has been made and forwarded to Mr. Turner, the President of the company, as requested by you. Bonds of the State to the amount of nine thousand dollars have been issued in favor of the company, and deposited in the Bank of the State as required by law.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK.

"Mr. George A. Wylie, Secretary of the Nashville and Kentucky Turnpike Company, Gallatin, Tenn."

"Executive Department, Nashville, November 26, 1839.

"Hon. J. R. Poinsett, Secretary of War.

"Sir: I have had the honor to receive your letter of the 14th Inst. informing me, that a draft drawn some weeks since for the interest due on the 1st of July last, on \$250,000, in Tennessee State bonds, held by the Government of the United States in trust for the Cherokee Indians had been protested in the Girard Bank in Philadelphia, with the reason assigned, that nothing but current Philadelphia funds would be paid for it, and requesting that such instructions may be given to the agent of the State as will ensure the prompt payment of the amount in question (\$1,250), as well as the interest to fall due subsequently. The Union Bank of Tennessee has heretofore acted as the agent of the State, in making the payment of the semi-annual interest on these bonds, and has uniformly made provision for its payment at the Girard Bank in Philadelphia, as it fell due, that being the place stipulated for the payment of the interest, when the bonds were negotiated.

"In regard to this interest due on the 1st of July last (\$1,250), the president of the Union Bank informs me, that as the agent of the State, that bank in the latter part of June, 'deposited the amount due on the 1st of July, in the Girard Bank in

Philadelphia, to the credit of the commissioner of Indian affairs' and that the secretary of the treasury was advised of the fact by the Union Bank under date of the 2nd of July last. The President of the Union Bank insists, that the bank has discharge her duty by making the deposit in specie at the Girard Bank to meet the payment which fell due on the 1st of July, and that the loss, or inconvenience which may be suffered, by the subsequent suspension of specie payment by the Girard Bank in October following, should be borne by the holders of the bonds who failed to call on the day for the amount due. Without undertaking to give an opinion as to the correctness of the views presented by the President of the Union Bank, I am informed by him that he has addressed you on the subject, and that he has also addressed the agent of the bank at Philadelphia with a view to make a proper arrangement with the Girard Bank for its payment, and I have every reason to believe from what he informs me, that the payment will be made at an early day.

"If it should not be paid by the bank upon being informed of the fact, by you, I will take such measures as may seem to be proper, with a view to ensure its payment and preserve the credit of the State. The interest on those bonds which shall hereafter fall due, will be promptly paid in specie.

"I have the honor to be .

"Very Respectfully,

"Your Ob't. Serv't.,

"JAMES K. POLK."

"Executive Department, Nashville, November 26, 1839.

"Gideon J. Pillow, Esq., President of the Columbia Central Turnpike Company.

"Sir: Your letter of the 20th Inst., requesting the appointment of three discreet and disinterested persons to view that part of the Columbia Central Turnpike road which is represented to be finished, with a view to the erection of toll gates thereon, was not received until yesterday. Your certificate as president of your company has not been made with such precision as to conform to the act incorporating your company.

The 8th section of the act to incorporate the Lebanon and Nashville Turnpike Company which is made a part of the act incorporating your company requires that '*the road should be finished*' in the manner prescribed by the act *for the distance of seven miles* from Nashville or Lebanon, those being the terminations of the road.

"In the case of the Columbia Central Turnpike Company, the terminations of your road are Columbia and the Tennessee River. In your certificate as President of your board you do not state that seven miles from either Columbia or the Tennessee River, being the two points of termination of your road under the charter—have been finished. You certify that *about nine miles* of the Columbia Central Turnpike are completed. The terms, '*about nine miles*' are vague and indefinite, nor is it stated in your certificate whether the part of the road which is finished is at the termination of the road *commencing* at Columbia or on the Tennessee River. As your certificate as president of your board is the only official document upon which the Executive can act in appointing the persons contemplated by the act of your incorporation to view the road and make report, you will perceive the necessity which exists of conforming in your certificate strictly to the requisitions of the act of incorporation.

"It should be stated that *seven miles* of the road commencing at one of the points of termination of the road, and distinguishing which are finished. When this is done, it will be the duty of the Executive to make the appointments as requested by you.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, November 29, 1839.

"R. G. Douglas, Esq., Secretary and Treasurer of the Gallatin and Cumberland Turnpike Company.

"Sir: Your letter in answer to mine of the 4th Inst. has been received, and I regret to inform you, does not contain such a certificate under the law, as to authorize the further issue of State bonds to your company. By reference to the act of 1838, ch. 107, sect. 22 and 23, you will perceive, that before the

Governor is authorized to issue the bonds of the State to any Internal Improvement Company, he must be notified by *'the President and Directors of such company'* that the individual stockholders have paid it as required by the act. The letter which you have addressed to me, is signed by yourself alone as secretary of your company, and not by *'the President and Directors of the company,'* as required by the act. This defect would of itself be sufficient to prevent the further issue of bonds to your company; but it is proper to apprise you, that it is not the only obstacle which would be interposed under the existing law.

"By the act to incorporate your company, it is provided that *'the capital stock of said corporation shall consist of one thousand shares of twenty-five dollars each,'* being \$25,000. The State on the 10th day of July, 1839, became a subscriber for one-half the capital stock of said company, being \$12,500. Before the Governor is authorized to issue any bonds of the State, to any Internal Improvement Company, it must be certified to him by *'the President and Directors of such company,'* that fifteen per cent on one-half the capital stock as fixed by the charter, owned by the individual stockholder has been paid by them. Upon this certificate the Governor is authorized to issue bonds of the State for an equal amount, being fifteen per cent on half the capital stock owned by the State. The act of 1838, ch. 107, sect. 23, then goes on to provide, that *'upon the further payment of fifteen per cent upon the stock of individual stockholders, in any of said companies, the Governor shall issue the bonds of the State for fifteen per cent more of the stock of the State, in the same manner, and under the same rules, regulations and restrictions as before provided.'* In issuing the bonds of the State reference must constantly be had to the amount of the capital stock as fixed in the charter, which, in the case of the Gallatin and Cumberland Turnpike Company is \$25,000. In order therefore to entitle your company to a further issuance of the bonds of the State, it must be certified to the Governor by, *'the President and Directors of the company' that fifteen per cent, in addition to the fifteen per cent heretofore paid,* by the individual stockholders on the half of the

capital stock of the company has been paid, viz., fifteen per cent on \$12,500, that sum being half the capital stock of your company. Such are the requisitions of the law. It appears, however, that the length of the Gallatin and Cumberland Turnpike Road, is but a little more than three and a quarter miles, and that the capital stock of the company *being* \$25,000, *as fixed by the charter* is much larger than is necessary to build the road, (unless the company should "extend" the road as they are authorized to do by the 7th section of their charter) and in this consists the whole difficulty. If the capital stock of your company instead of being \$25,000, as fixed by the charter, was reduced to the sum actually required to make the road, all difficulty would be removed. The Legislature alone possess the power by an amendatory act to reduce the capital stock as authorized and fixed by your charter.

"The Governor possesses no such power; and I take the liberty to suggest to you (if your company desire to have the amount of the capital stock reduced to the sum which will be required to build the road), the propriety of making application to the Legislature to pass a law for that purpose.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, December 10, 1839.

"Hon. C. C. Trabue, Mayor of Nashville.

"Sir: In answer to your letter of the 9th Inst., transmitting to me a copy of a resolution passed by the Mayor and aldermen of the corporation of Nashville on the 12th of November, 1839, and requesting for the use of the city authorities, a portion of the public arms of the State to be returned on demand, I have to state, that I do not find any law which authorizes the Executive to make such a disposition of the public arms, as that which you request.

"I have the Honor to be

"Very Respectfully,

"Your Ob't Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, December 10, 1839.

"Thos. W. Barksdale, Esq., Secretary of the Clarksville and Russellville Turnpike Company.

"Sir: I have received your letter of the 4th Inst. transmitting a certificate of the President and Directors of the Clarksville and Russellville Turnpike Company, dated 15 ult., setting forth, that the payment of the individual subscriptions, are in their opinion well secured. I have this day issued for the benefit of your company ten bonds of the State for \$1,000 each, amounting in the whole to \$10,000, and have deposited the same in the Bank of Tennessee.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

Executive Department, Nashville, December 10, 1839.

"To the President and Directors of the Nashville and Charlotte Turnpike Company.

"Gentlemen: I received a few days ago your communication addressed to my immediate predecessor in office, setting forth the proceedings of your board at a meeting held on the 7th of September last, in which it is stated, that the whole amount subscribed for by individual stockholders, to wit, \$30,000, is paid *either in cash, or work upon the road*, and requesting the Governor 'to issue the remaining \$1,000 of State bonds, which with the \$24,000 heretofore issued, will make the total amount.' The act of 1838, ch. 107, sect. 22 and 23, provides that the Governor shall be, 'authorized and required to issue the bonds of the State, only in cases when it shall be certified to him by the President and Directors, that the individual stockholders have paid in a given percentum of their capital stock as provided in the act. There is no authority vested in the Governor to issue the bonds of the State upon a certificate made to him that '*work has been done on said road.*' Your certificate is in the alternative, to wit, that the individual stockholders have paid '*either in cash, or work upon said road*' and is not such a certificate under the law, as will authorize the Governor

to issue the bonds of the State to your company as requested in your communication.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, January, 6, 1840.

"To the President and Directors of the Nashville and Charlotte Turnpike Company.

"Gentlemen: I have the honor to acknowledge the receipt of your communication of the 28th ult., certifying that the individual stockholders of your company, have paid in fifty per cent of the capital stock of said company, amounting to \$30,000, being one-half of the capital stock of the company, and have this day issued and deposited in the Bank of Tennessee, for the benefit of your company, six State bonds of one thousand dollars each.

"I have the Honor to be

"Very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, January 17, 1840.

"General G. J. Pillow, President of the Columbia Central Turnpike Company.

"Sir: In answer to your letter of the 10th Inst. I have to state that upon a careful examination of the records and papers on file in the office of the Secretary of State, the certificate of your board, of payment of stock by the private stockholders, which you state was made on the 9th of March, 1839, cannot be found. If such a certificate reached this office it cannot be found, and I cannot of course respond to your interrogatory.

"The Internal Improvement bill is under discussion in the House of Representatives to-day; various modifications and amendments of the existing law have been proposed and are pending. What will be done is uncertain.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, January 20, 1840.

"To the President and Directors of the Gallatin Turnpike Company.

"Gentlemen: I have received your communication of the 6th Inst. requesting me to issue \$9,000 of State bonds for the benefit of your company, in addition to the \$99,500 heretofore issued. The certificate which your board have made, from the phraseology employed, leaves doubt as to what its true purport and meaning might be. In the first part of your certificate you state, 'that there has been of the \$112,500 subscribed by individuals to the capital stock of the Gallatin Turnpike Company, the sum of \$108,500 in cash, paid into the hands of the treasurer of said company, and that the whole amount and upwards has been paid out by the treasurer to contractors on said road, for work and labor actually done on the same.' Had the certificate stopped here there would have been no difficulty in ascertaining its true intent and meaning; but you proceed to specify in what manner 'the payment on the part of the individual stockholders has been made.' In the paragraph immediately following the clause above quoted you say 'to wit, the sum of \$15,000 which the company have borrowed of the banks of Tennessee, together with \$75,500 of State bonds has been paid to contractors, of \$99,500 received in bonds on behalf of the State subscription to said road.' This specification of the manner of 'payment' by the individual stockholders, is susceptible of the construction (though it may not have been so intended) that \$75,000 of State bonds heretofore issued in payment of the State's subscription, have been used to pay up that much of the subscription of the individual stockholders. If that be the construction of your certificate, it is not such a '*payment*' as will authorize of the State bonds which you request. If the true construction of your certificate be that \$108,500 has been paid in by the individual stockholders, and that, that amount as well as \$75,500 of State bonds together with the \$15,000 borrowed of the Bank of Tennessee, have been paid out to contractors, you are requested so to state in an amended certificate. Before the Governor is authorized to issue the bonds of the State to any Internal Improvement Company, it must be

certified to him by the president and directors of such company in a manner to admit of no doubt, that the individual stockholders have 'paid in' a given percentum on the amount of their capital stock. Under the doubt which exists of the true construction of the certificate which you have forwarded to me, I have suspended action upon it until the company can make out a new certificate or furnish an explanation of the one already forwarded.

"I have the honor to be

"Very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, February 6, 1840.

"Moses H. Henry, Esq., Sheriff of Sumner County.

"Sir: I have received your letter of the 4th Inst. requesting me to offer a reward for the apprehension of Richard Gillespie, charged with the murder of Ira Strother. Before I can determine upon the propriety of offering a reward it will be necessary that I should be furnished with a copy of the proceedings had at the coroner's inquest, with the verdict of the jury, or some other evidence of record of the commission of the offense. If a bill of indictment has been found in court, a copy should be furnished. When such evidence is furnished I will act on the case.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, February 15, 1840.

"Moses H. Henry, Esq., Sheriff of Sumner County.

"Sir: Since writing you on the 6th Inst. I have received through Mr. Trimble, the official certificate of S. H. Turner, the committing Magistrate, before whom Richard Gillespie was arraigned on a charge of having murdered Ira Strother; and have this day, issued a proclamation offering a reward of two hundred dollars for the apprehension of the said Gillespie.

"I have directed the proclamation to be published in the *Nashville Union*; and have to request that you will cause it to be

inserted for three successive weeks, in the *Gallatin Union*, published in Gallatin. I am very respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

"Executive Department, Nashville, February 19, 1840.

"To the President and Directors of the La Grange and Memphis Railroad Company.

"Gentlemen: I herewith transmit to you the official certificate of subscription on behalf of the State, for twelve hundred and fifty shares of the capital stock of the La Grange and Memphis Railroad Company, made this day, in pursuance of the provisions of an act passed at Nashville, on the 27th day of January, 1840, entitled 'An act supplementary to the acts to incorporate the La Grange and Memphis Railroad Company.'

"By the 7th section of the act of 27th January, 1840, to which reference is made in the letter of the President of your company, of the 13th Inst., it is provided, that upon the acceptance of the conditions specified in the act, by your company, the Governor shall appoint an additional number of directors on the part of the State, which will make the State's directors equal in number to those elected by the private stockholders. My opinion is that the appointment of State directors must be made, in reference to the general law of 1838, upon that subject, there being nothing in the special act relating to your company which is repugnant to its provisions. By the act of 1838, the Governor is directed to appoint a number of directors, *not to be stockholders*, equal to the number *elected* by individual stockholders, and the settled practice under it (in case where the State has subscribed for half the stock) has been to appoint a number of State directors, equal to the number which the private stockholders of the several companies, under these respective charters were authorized to elect. On referring to the charter of your company I find, that the number of directors, which the stockholders are authorized to elect is *nine*, and awarding to the construction of the law which has heretofore been given, in similar cases, the State is entitled to appoint *nine* directors, to represent the State's interest in company.

"If the stockholders of your company, acting under the act of 1836, when the State was a subscriber for one-third only of the stock, have not elected as many as *nine* directors for the present year, they may under the 7th section of the original charter of your company, still do so. If suitable selections can be made; I would prefer to appoint the State directors, residing in the vicinity of the work, and would be pleased to receive such suggestions, in regard to persons proper to be appointed, as you may think proper to make.

"I am very Respectfully,

"Your Ob't. Sev't.,

"JAMES K. POLK."

(*To be continued.*)

JAMES ROBERTSON, NASHVILLE'S FOUNDER.

BY MAJ. E. C. LEWIS.

[Read before the Tennessee Historical Society, January 13, 1903.]

A short time ago I was requested to address the Tennessee Historical Society. Probably without the society's knowledge, I have long been interested in its work, and value its undertaking beyond measure. It is an honor to appear before it.

When I was told that I might choose my own subject for the paper, I confess I was deeper in the mire of thought than at the first step in conjecture as to what I was going to say, and the few times that I was able to give the matter attention, I was not able to extricate myself. A fortunate circumstance that transpired only a few days ago gave me the cue.

For the first time in all its history, Nashville has park ground worthy of the Capital of Tennessee. The title to the Centennial Grounds, upon which the city has already contributed a large sum of money toward the adornment thereof, is now in the city of Nashville.

The Park Commission, to whom is assigned the duty of the further adornment of this and other park property, have so far determined upon but one measure, and that, the erection in Centennial Park of a monument to James Robertson, the founder of Nashville. The purpose of this paper is to revive interest in the founder of the city we live in and suggest the co-operation of the Historical Society and other organizations and the public in the unveiling of this monument.

The first mention of this man in the annals of Tennessee is the brief record that "early in 1770 James Robertson appeared upon the scene." He was destined to appear often and to accomplish much. Robertson was born and raised in Brunswick County, Virginia. He left Virginia when he was about 15 years of age and landed in Wake County, North Carolina. He reached the Watauga Settlement when he was 28; with him, then, the flowering years (as of all men's lives) was in the bud.

Robertson soon became a man of note. He was further destined to be the most conspicuous figure connected with the upbuilding of Middle Tennessee.

When we contemplate the work Robertson had before him, and look back and know what he did, we are interested at the outset in the personnel of the man. Let us recall his appearance and some of his characteristics.

His age was 28; his height 5 feet, 9 inches, (right high); heavy built (still right), not fat (right); he had blue eyes; he was uncommonly quiet and thoughtful. He had strong features and a square, full forehead—his head was full, too, of brains. He was earnest, taciturn and self-contained, and had that quiet consciousness of power usually seen in "born leaders of men"—it appears everything about him was right. Some Indian chief has said, "he has winning ways and makes no fuss." Who could better the model this man presents?

Judge Haywood, in his history, said of Robertson:

"He appears by his actions to have merited all the eulogium, esteem and applause which the most ardent of his countrymen have ever bestowed upon him. Like almost all those in America who have attained eminent celebrity, he had not a notable lineage to boast of nor the escutcheoned armorials of a titled ancestry. But he had what was more valuable—a sound mind, a healthy constitution, a robust frame, a love of virtue, an intrepid soul, and an emulous desire for honest fame."

Accompanying Robertson on his first visit to Tennessee, in 1770, was the intrepid and famous Boone.

Reaching the Watauga Settlement, Robertson, to quote himself, "felt he had reached the promised land." Not so Boone—certainly he determined to see more and go further, and did.

Robertson went immediately to work, cleared his patch, and planted his crop; which having yielded well and been housed after some sort of fashion, Robertson returned for his family, then consisting of his wife, Charlotte (born Reeves), and one child.

On this trip, traveling as he did alone and without the aid of the apparently unerring Boone, Robertson lost his way in the mountains, among which he wandered for two weeks. He was

finally, under circumstances as fortuitous for this country as remarkable in the fact, considering the extent of the country and the scarcity of men, found by two hunters on the western slope of Yellow Mountain.

Who these hunters were has never been known. Robertson himself, generally a considerate and grateful man, though over modest, appears to have left no record of their names, or even the deed that saved his life.

Having been steered into plain sailing by his new-found and new-finding friends, with that spirit and will characteristic of the man, Robertson continued his journey as he originally intended. He returned in a few months to the neighborhood where Elizabethton, in Carter County, now stands.

About eighty people accompanied him—men, women and children. The arrival of Robertson and his contingency was hailed with delight by the settlers on the Watauga.

The first act of Robertson to justify the expectations of his friends for the after great career of the man was that of peace-maker, to be plain, but really diplomat, with all the merit and more of honor for his intrepidity and good sense that comes to those who now so often play their petty parts before the pompous courts of the world.

A young brave had been killed by one of the settlers, because of a personal grievance. The Indians immediately showed disturbance, and left their camp to rendezvous where they could reinforce their numbers. Then what had become a peaceful community was thrown into turmoil and fear that the probability of renewed hostilities would, at least, delay the further settlement of this promised land, if not annihilate the settlement.

Robertson, with that determination and grit that to him made all things possible, volunteered to seek the Indians and undertake to induce them to make no hostile move against the settlement.

He desired no body guard and asked no help. Single-handed he set out upon this most momentous mission, on this perilous journey of 150 miles, full of danger of attack from both man and beast, and hazardous more yet because of the untramped and unexplored way. Was ever courage more sublimely manifested?

He was gone but a few weeks. He succeeded in convincing the Indians that the act for which they were aggrieved was the fault of the one man, and that the settlement should not be held responsible.

Ye who contemplate the act of a peace mission of to-day, and compare with that remarkable one in 1772, among the Chicamauga Indians, must needs commend beyond the means of man to estimate the courage, the will, the intelligence, the power to do that this man ever embraced, and always properly used.

History recites many incidents of the almost continual wars with the tribes, in which Robertson played his part, and always well.

* * *

The war of the Revolution had begun; the battle of Lexington had been fought. The now famous settlement on the Watauga, always anxious to do their part and "carry their end of the log," desired to be taken into the confederation, under the name of "Washington District." They further expressed a willingness to send their proportion of men and money. They, poor, noble creatures, who daily held their very lives in their hands, as it was, and could only till the soil and hunt and live, were willing to further risk their lives and contribute their mite toward the establishment of the great confederation of the United States of America.

However, James Robertson, too, appears to have seen other visions than the first promised land—probably when he made that long journey of peace alone he saw yet a further land of promise. Certain it is, that, in February, 1779, Robertson, with only a half score of men, set out for the French Salt Licks. This was our old Sulphur Spring Bottom.

Could it have been that the simple mineral, chloride of sodium, alone determined the settlement of Nashville? It appears so. The salt about Watauga first stopped the settlers there. Many a bloody battle was fought over this same salt during the Civil War—showing the further importance of this simple mineral. The big spring, now known as Cockrill Spring, then as now, led the way to the river through the licks. The first clearing appears to have been made about this spring and branch.

Happily enough, the site selected by the Park Commission in Centennial Park for the monument to James Robertson may be where Robertson staked his (to him) Garden of Eden, in the new promised land, the Big Basin of Tennessee.

Down below the sulphur spring the seed corn they brought with them was planted. Gradually all the big bottom further below was made into fields, all full fertile with the silty soil, soft with alluvia, and therefore easy to cultivate, even with the crude utensils of the day.

Starting his men to clearing the cane and brush of the bottoms for such an area as would maintain a large settlement of people, Robertson himself went back to East Tennessee for his friends and followers. The women and children were yet to remain with the Watauga settlers. Robertson drew heavily upon the resources of the East Tennessee settlement. Confidence in Robertson was the keynote to the following he enlisted and the success of the venture.

Soon all about here, and for miles around, there were built up "stations," as they were called. At each some half dozen or more log houses, and likely brush, were the first protection from the winter.

Protection from hardships for the female has ever been the distinctive feature in the make of man.

This being now assured, Robertson sent back for the women and children. To Colonel John Donelson was given this important charge. Down the Holston, down the Tennessee, up the Ohio, up the Cumberland, in the crudest of boats, fashioned with but sorry tools, likely mostly dugouts, made by burning into the center of the log with live coals, to lessen the labor with the few and poor tools. In these boats the women, frail as women must ever be, with their offspring, tender in years, yet all stout of heart, made this perilous journey of more than a thousand miles; thus nobly playing their part in the great drama, "The Winning of the West."

It was a severe winter; the boats made the miles but slowly; the journey was long; the streams treacherous; hostile Indians lined the river for many miles. The current of the Cumberland, our Cumberland, was against them. Think of it all! Everything against them!

Gilmore says: "The voyage has no parallel in history." Donelson heads his journal of the journey, which he appears to have kept in a most commendable manner, with this caption: "By God's permission." It seems so. On Monday, April 24, 1780, they came to Big Salt Lick, to James Robertson and to Nashville.

The arrival of the passengers of Donelson's fleet increased the population of the Cumberland settlement to such an extent as to justify the formation of an association and the adoption of laws and a name.

This code of laws was prepared, submitted and adopted in the summer of 1780. The language contained therein, the laws themselves, the thoroughness of the whole, indicate that the average of intelligence and education and determination of these two hundred and fifty-six men who signed their names to the compact, as it came to us, was never equaled by any community in any young country—it is somewhat a doubt that the superior could be demonstrated to exist even now—and when we consider the one sentence that appears to have been the motive of the entire code of laws as well as each man's bond, must we not acknowledge that we have not advanced, after one hundred and twenty-two years of civilization, in either the language of or the respect for the law?

Here is the keynote to the code:

"We do most solemnly and sacredly declare [not swear, mind you, no oath about it—as there is now, only to be forsworn] and promise each other, that we will faithfully and punctually adhere to, perform and abide by the laws of this our association, and at all times, if need be, compel by our united force a due obedience to these our rules and regulations." That is all there was of it. Every man a policeman and a patriot.

The laws having been adopted, a name was selected.

* * *

Gen. Francis Nash, of North Carolina, a friend to Robertson and to many of the settlers, had been killed at the battle of Germantown, Pa., three years before. Gen. Nash was a soldier of rare qualities, a man of cultured mind, and a most exemplary citizen. His death was greatly deplored. His friends showed

their appreciation by giving their settlement his name—Nashborough.

Twelve years after Robertson himself was made a Brigadier General of the United States Army. He entered vigorously upon his duties, which were incidental to the interest of the settlement.

In November, 1780, deprivation, through destruction of crops by high water, destruction and starvation, tried the courage of even the bravest of the settlers. The less courageous deserted. Not so with the heroes of hallowed memory. One hundred and thirty-four, with Robertson in the lead, determined to remain. Here we rest or die, said Robertson, and Donelson said amen!

For the first ten years their hardships continued, but lessened year by year, except that the Indians were ever bobbing up and poking their rifles through the surrounding cane and killing the settlers.

The Happy Hunting Grounds of the Kentucky purchase, and the Big Basin of Tennessee, contain the bones of many a brave, some buried, no doubt, long before Robertson and his band ever came to Nashborough.

For a long time the historian could not account for the out of proportion of graves in this country—there were too many bones for the tribes known to have abided here. This finally was the solution. This territory, the blue grass region of Kentucky and of Middle Tennessee, was favored above all others in wild productiveness, and consequently was overrun with game of all kinds; buffalo, deer, turkey, bear and the smaller game had a perpetual feast on the fertile hills and valleys. So the Indians coming here to hunt the game, the tribes would clash and fight. The fittest survived and abided and hunted 'till the fitter came in and fought them out. Along the banks of the Harpeth, in Sulphur Spring Bottom, on the Edgefield side, over on Eaton's Creek, on Sycamore—all valleys famed for richness, and all affording natural walls of protection against possible intruders, the numerous graves at each place attest that here many a battle was fought. This section was then all supposed to be in Kentucky. Boone said it was—so that is why Kentucky came to be the "Dark and Bloody Ground" in history.

Robertson and his men had now held their own against the constant attacks of the Indians for ten years. It had long been his hope that the Indians would let them alone. The title to the lands they occupied was not questioned. Yet the attacks were kept up, because of the rich hunting field. Robertson had been wounded repeatedly. His kindred and friends had been killed. He determined to crush the offending tribes. He did. The Secretary of War censured Gen. Robertson, and he resigned his command in the United States Army in order that he might fight in his own way.

(It may be added that our Secretaries of War have not recovered from the habit of censuring those who prosecute the country's wars vigorously, except in the one case of failure to censure brutality practiced in the period from 1861 to 1865, and especially on Sherman's march to the sea).

* * *

About the time of Robertson's resignation, he formed an alliance with the Chickasaws, and with their aid he gave Middle and West Tennessee and North Mississippi, a vast and rich domain, to the young Republic, whose Secretary of War had censured him for fighting its battles too rigorously.

In 1784, the Legislature of North Carolina changed the name of Nashborough to Nashville; and three Town Commissioners were appointed. Two hundred acres were laid off into town lots of one acre each. These lots were to be sold with the one condition that the buyer should agree to build a brick or stone house, at least sixteen feet square on each lot. James Robertson bought the lots on the west side of the Square, between Deaderick and Cedar streets. A tablet placed on the wall of the transfer station of the Nashville Railway commemorates the fact that James Robertson owned that property from 1784 to 1807. He who rides may read.

Robertson now seeing the town of Nashville organized, procured from the Legislature of North Carolina a charter for Davidson Academy, with an endowment of two hundred acres of land, to be free from taxation for ninety-nine years.

This was the nucleus of Nashville University and the Peabody

Normal, and it may be said the starting of Nashville as an educational center.

Charlotte Robertson, wife of James Robertson, in 1781 gave the first male child to Nashville. This son many here knew as Dr. Felix Robertson. He lived until 1865, a most interesting character and excellent citizen—a worthy son of a worthy sire—thrice Mayor of the city of Nashville.

The Constitutional Convention of the State of Tennessee was called to meet in 1796. Davidson County was represented by James Robertson, John McNairy and Andrew Jackson—an illustrious trio. Not for forty years was this Constitution changed.

James Robertson, a most worthy citizen, both of Virginia and North Carolina, a pioneer patriot and patriarch in Tennessee, diplomat, Indian fighter, maker of remarkable history, Brigadier General of the United States Army, founder of Nashville, Governmental Agent to the Chickasaw Nation, died at the Agency in West Tennessee, September 1, 1814.

The body of Robertson was buried at the Agency, and there remained until 1825, when, by act of the Legislature of Tennessee, his remains were removed to Nashville and reinterred, and yet lie in what is now known as the old City Cemetery, in South Nashville. A visit to Robertson's grave on Christmas Day disclosed a neglected spot.

This simple inscription is placed on the slab of native stone now fast going to decay, that overlies the body of this remarkable man:

GEN. JAS. ROBERTSON,
The Founder of Nashville.
Was born in Virginia,
28th June, 1742.
Died 1st September, 1814.

His wife, Charlotte Reeves, lies by his side.

Fifty years ago Ramsey said:

"The people of Tennessee have reason to venerate the memory of James Robertson, alike for his military and civil services, and the earnest and successful manner in which he conducted his negotiations for peace and commerce. His probity and

strength of character secured to his remonstrances with Indian and Spanish agents respectful attention and consideration. His earnest and thoughtful manner was rarely disregarded by either."

Again Ramsey concludes: "Relative to Gen. James Robertson, it is proper to state that this father of Tennessee, this patriarch of the Settlement of Watauga and founder of that of the Cumberland, this most successful negotiator between his countrymen and their Indian neighbors; this citizen who so well united the character of the patriot and the patriarch, continued to the close of his career an active and useful friend of his country, and possessed in an eminent degree the confidence, esteem and veneration of all his contemporaries; and his memory and services to the western settlements, in peace and in war, are ever remembered with pride, and held in grateful regard."

And now after one hundred and twenty-two years, what of us? Ramsey wrote that eulogium in 1853. What have we written? What have we thought—what have we who have enjoyed in peace and in plenty that which this man won for us through war and deprivation, with sacrifice of his own sons, and the shedding of his own blood—what have we of Nashville done to honor this man's memory? Has even the memory of all the good Robertson did been interred with his bones?

Shall the youth of this great Commonwealth, because of the lack of knowledge on their part, born of the failure on ours to commemorate the commendable deeds of this heroic character in the State's early history, be deprived of the incentive to emulate the splendid example he so surely set?

Are we a grateful people? Is a neglected grave, in an abandoned cemetery, evidence of gratitude?

SOME OLD JACKSON PAPERS.

State of North Carolina, Davidson County, November Term,
1788.

The Jurors for the State upon their oath present that George Gibson, late of the County of Davidson and State of North Carolina, yeoman, on the thirtieth day of July, in the year of our lord one thousand seven Hundred and Eighty—in the night of the same day, with force and arms in the County aforesaid the — House of William Barr there situated, feloniously and Burglariously did Break and Enter and one Bever Skin of

the value of Thirty Shillings of the goods and Chattles of the said William Barr in the same — House then and there Feloniously and Burglariously did steal, take and carry away to the great damage of him the said William and against the peace and dignity of the State.

ANDREW JACKSON,
Atto. for the State.

Endorsed:

State vs. G. Gibson. Indtm. G. B. November Term, 88.
Wils Barr, prosecutor. Moses Shelby, David Hay, John Nichols Sworn and sent.

ANDREW JACKSON,
Atto. for the State.

State of North Carolina, Mero District. Superior Court, May Term, 1789.

The Jurors for the State upon their oath present that James Lanier, late of the county of Davidson and District of Mero, Merchant, not having the fear of god before his Eyes nor weighing the duty of his allegiance to the State, but being moved and seduced by the instigation of the Devil and contriving and intending our said State and all its people, craftily, falsely, deceitfully and feloniously to deceive and defraud on the Eleventh day of January, in the year of our Lord One Thousand Seven Hundred and Eighty-six, with force and arms at the county aforesaid in the District aforesaid; one Bill Number Eighteen Hundred and Thirty-six in the likeness and similitude of a forty Shillings Bill of the good, lawful and current money of this State Emittted at Hillsboro seventeenth day of May, One Thousand Seven Hundred and Eighty-three; then and there knowingly; falsely; deceitfully and feloniously; did emit counterfit utter and pass contrary to the form of the act of the General Assembly passed at Hillsboro the seventeenth day of May, one thousand seven Hundred and Eighty-three against the peace and dignity of the State.

A. JACKSON,
Atto. for the State.

Endorsed:

State vs. James Lanier. Felony. May Term, 89. Thomas Hickman, prosecutor. Zacaria Green, Saml. Barton, Charles Campble and Danl. James Sworn and sent. Teste, David Allison, Ck.

A. JACKSON,
Atto. for State.

No Bill. Thos. James, forman.

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DR. J. P. DAKE—A MEMOIR.

BY R. A. HALLEY.

Thursday night, October 25, 1894, Sousa's Band was playing a concert in the Tabernacle at Nashville, Tenn. The audience that had gathered was as large and representative as Nashville could furnish, for, in addition to the great band that was performing, there were also two soloists in whom the people of Nashville were interested—one of them Miss Estella Mann, a former Nashville girl, whose fine mezzo soprano voice had won her honor and compliment. I sat about half way back in the audience next the aisle, and immediately in front of me sat Dr. J. P. Dake. When Miss Mann sang deliciously the "Page Song" from "The Huguenots," and was encored so vigorously that she responded with "Some Day," I saw that Dr. Dake applauded as with peculiar pleasure. Always fond of good music as he was, he told me during the intermission which followed that he had had a fatiguing day, and had come mainly to hear Miss Mann sing, having long been friend and physician to the family.

Dr. Dake had in 1892 made a visit to Japan, and as I was talking to him I noticed that he had brought with him to the concert a curiously carved cane of bamboo which he bought while in that country. I had seen it before, but during one of the intermissions I asked him to let me have it until I could show it to my wife. He handed it to me and turning round told us some interesting little incidents connected with the purchase of the cane and with his journey to the Orient. He commented on the low cost in Japan of hand-made articles of great beauty, and on the strong artistic temperament of the people

of Japan, he having become very much interested in both country and people. He spoke highly of the Japanese and expressed faith in their ultimate high rank among nations.

Then the appearance of Mme. Guthrie-Moyer, the soprano soloist, drew the attention of the audience and we gave ourselves to the enjoyment of the music. Mme. Moyer's "Tannhauser" aria was followed by a demand for an encore, to which she graciously responded with "The Old Folks at Home." Dr. Dake smiled his appreciation to a friend near him, and joined in the applause of this old favorite.

After the next number he turned to me and said: "I have had two strokes of paralysis, the last while I was away during the summer, and just now I feel something very like the symptoms that preceded those attacks. If I should be correct, call Dr. Duncan Eve, who is sitting just in front of us." I said that I would do so, and suggested that we leave the building, but he said he would wait, as the concert was nearly over, and he was not sure. During the following number, however, when it had been about half played, I saw that the danger was increasing and started to rise. As I did so, he turned and said: "Get Dr. Eve." I went quietly and stated the condition to Dr. Eve, who came and sat down by his side. That he had correctly foreseen his trouble was evident, but it was hoped that it, like the previous attacks, would be light. The remedies which Dr. Eve wanted were secured as hastily as possible, though with such quiet that not half a dozen people knew anything was the matter. While out I telephoned Dr. W. C. Dake and informed him of his father's condition. When I returned the remedies were administered and seemed to effect a slight relief. Dr. Dake looked at me as if he wished to speak. I bent over, and he said: "Send for Will." I went at once, but just as I turned into Church street from Summer I met Dr. W. C. Dake.

When the crowd dispersed friends assisted Dr. Dake to the vehicle in waiting. He was taken to his home and every care that science suggested or love could devise was given him; but he never rallied, and never spoke after making the request to send for his son. The paralysis was total as to his left side. It

was at first hoped that the paralysis had resulted from congestion of the brain, and not from cerebral hemorrhage, but this hope was dispelled with the passage of time. He died at his home at 12.25 on the morning of October 28, 1894.

With the death of Dr. Dake there passed away one of the most prominent figures in the world of medicine. For over forty years he had been a leading spirit in many a fierce fight concerning medical and sanitary matters, and he had accomplished as much as any other man who ever took part in the battle for homeopathy. Not only as a physician, but as a citizen, his life was full and well rounded, and he had accomplished many things that well deserve to be remembered.

In him the artistic temperament was always strong, and in this he was a notable exception to the hosts of professional men who have succeeded in their chosen calling. Few geniuses in one thing attain distinction in others, and, save in purely artistic callings, few indeed of the world's workers have the strong artistic temperament. This is particularly true with the medical profession. By their sympathy for mankind and by their very modesty the physicians have made the world a more habitable place, and have set aloft noble ideals for future generations, but rarely does art for art's sake form any part of their creed. Some of us can remember kindly the country doctor of long ago, with his unceremonious ways and gentle heart, while knowing that the doctor of to-day, if he succeed, must be the polished gentleman—liberally educated in the universities. And yet, with all this change, we also know that the artistic temperament is growing even less common to the profession. A notable example of the artistic temperament in conjunction with medical genius was shown in the life and work of Dr. Dake. Whatever was elevating and refining appealed to that part of his nature most keenly, and he fostered it in every way he could. He founded the Nashville Art Association and began filling its walls with fine paintings; but the Association has been inactive since his death. Two years and a half before the Centennial Exposition he proposed as a feature of that exposition the plan for a permanent museum and art gallery that should also preserve for posterity an old and honored home,

and he had secured pledges of more than half the fund for purchasing the building when he died; and no one took up the work and carried it on.

When busied with his practice in the earlier years, his devotion to his profession and to its arduous duties left him less time for the satisfaction of the artistic side of his nature than he desired. During the later years of his life, however, when he had retired from general practice, he gave a great portion of his time to art and literature, and to patriotic endeavor. Around him, he had the walls of his office hung with beautiful pictures, and on the shelves of his bookcases he had thousands of volumes, comprising the best literature as well as medical lore. He became one of the leaders of The Round Table and drew its members to him by his courtly manner, by his gentle, honest firmness in the maintenance of his views, and by his intelligence and his zeal. A patron and friend of the Old Oak Club, a younger brother of The Round Table, he won its members by his fatherly interest, and bound them to him in never-dying affection. As founder and promoter of the Art Association and long its honored president, he labored unceasingly to advance its interests and to place it on a firm basis, thereby winning the gratitude of local artists and lovers of art. As a member of the Tennessee Historical Society he was always in his place, willing either to learn or to instruct. In the first Board of Directors of the Tennessee Centennial his services were great, and his place was never completely filled. As a citizen discharging all the duties of citizenship, he was an example worthy of many followers; and as a physician holding the lives and the confidences of thousands, to them his memory will always be inexpressibly dear. In the various and many charitable institutions of Nashville, in the cottages of the poor where he was a welcome and familiar figure, there above all other places he was missed and there his name will always be held in loving remembrance. So long a citizen of Nashville, faithful to every interest and to so many interests, always gentle and useful, it is not surprising that all during the day on which he died—a mild, beautiful Sunday—a stream of sorrowing friends should have found its way to the family residence

for the purpose of paying respect to the dear dead friend and showing sympathy with his afflicted household.

One of Dr. Dake's dominant characteristics, a willingness to help, is to be found in the modest introductory paragraph preceding a brief autobiographical sketch furnished by him at the request of the *Hahnemannian Monthly* in June, 1892. "If I have done anything," he writes, "or had anything happen to me in the course of life, the record of which may be of use to others, I suppose modesty should not forbid my furnishing the brief sketch that is asked for." That autobiography, all too brief, has formed the basis of this sketch of his medical career, but it has been at every point found necessary, in order to do scant justice to his splendid record, to enlarge greatly upon the compact summary he had given.

Jabez Philander Dake was born in Johnstown, New York, April 22, 1827. He was the son of Dr. Jabez and Sophia (Bowen) Dake. His father and two of his brothers were physicians and in his early life all turned from the old school to the new. The father, Dr. Jabez Dake, was born at Saratoga, N. Y., and was a soldier in the war of 1812. The paternal grandfather, William G. Dake, was born at Bennington, Vt., serving as a soldier in the Revolutionary War, and taking part in that famous conflict between the patriots and the British at his home town, the battle of Bennington. Dr. Dake's mother was born at Smithfield, R. I., as were also her ancestry for generations before. The paternal stock was English, but the family came originally from Hungary, the first of the name locating at Hopkinton, R. I., in 1639; the name up to the beginning of the nineteenth century was spelled Deake, but to make the spelling and the Americanized pronunciation correspond it was changed to Dake. The maternal side was Welsh, first entering the colony of Rhode Island with Roger Williams. Dr. Jabez Dake emigrated to what was in his time called "the West," and located in the fertile valley of the Genesee about the year 1830. In the town of Portage and in the village of Nunda, Livingston County, there was quite a large settlement of relatives, as there had been for two generations before at Greenfield in Saratoga County. His mother's maiden name was Sophia Bowen, and

the Bowens, like the Dakes, were numerous and well known in Saratoga County. The Dakes and Bowens of Chicago, Pittsburg and Michigan all come from the Saratoga stock.

J. P. Dake inherited from his father the sturdy enterprise of the English, and from his mother the untiring industry and perseverance of the Welsh. If such things might be, he also inherited the gift of healing from his father, who was so successful as to be regarded almost as a natural healer, despite the limited educational advantages he had enjoyed in those days. The two brothers who were physicians were David M. and Chauncy M., the former graduating at Castleton, Vt., and the latter at Philadelphia. The fourth brother, William H., was also a graduate in medicine, but followed dentistry when that art was new, as a specialty. Of these brothers, David M. Dake, M.D., was well known as a most successful physician and surgeon at Pittsburg, Penn., near which city he resided in retirement with an accumulated competency. He passed the latest years of his life at DeFuniak Springs, Fla., where he died. Chauncy M. Dake, M.D., was one of the earliest practitioners of homeopathy in this country, having settled at Geneseo, N. Y., when there were scarcely a dozen physicians of that faith west of New York City. He died at Rochester, N. Y., several years ago.

Besides these brothers there was another, Abram B., who died at Nunda while yet a young man. There were three sisters, the eldest married to James McClellan, the second to Lyman Hoppins, and both couples had several children, mostly now residing in Michigan. One son of this second sister left a son, Chauncy I. Hoppins, who was long a successful physician at Geneseo, Ill.

Dr. Dake's youngest sister was married to James D. Crank, a prominent merchant for many years at Geneseo, N. Y. She died several years ago at Cincinnati, Ohio, leaving six children. Mr. Crank then went to Pasadena, Cal., where his eldest son had become interested in orange groves and vineyards, and there he passed the remainder of his life. This son, Hon. J. F. Crank, some time a member of the California Legislature, is one of the leading capitalists of the Los Angeles region. His

second son, Charles D. Crank, M.D., is practicing medicine at Cincinnati, and holds a professorship in the Pulte Medical College, of that city. His youngest son is also a physician and is located at Pomona, Cal.

Dr. D. M. Dake's only son was long an eminent physician at Belleville, Ill., where he died, and his son-in-law, F. W. Skiles, M.D., till the time of his retirement was in a large and lucrative practice in the city of Brooklyn, N. Y. The only son and child of Dr. C. M. Dake was a well-known practitioner of the healing art in New York City, until his death in 1902.

It is a noteworthy fact that every member of this numerous family of medical men has adopted the views of Hahnemann, including the father of the subject of this sketch, as well as his sons, hereinafter to be mentioned. And it must be added that Dr. Dake's mother was one of the earliest and most active advocates of temperance, urging its claims persistently when social custom and fashion were all in favor of the free use of intoxicants. She favored moral reforms, denounced shams, and urged independence and vigor of action in all good measures, evincing the spirit of her Roger Williams Quaker Baptist ancestry. While her husband was a mild-mannered and good man, distinguished among his friends as a great peace-maker and benefactor, she was independent of thought, resolute of purpose and uncompromising in her efforts for what she deemed best. If her sons and her grandsons have shown little regard for the orthodox and the authoritative, the germ of it must be traced to her as the parent and the exemplar.

J. P. Dake applied himself diligently to study for several years in the Nunda Academy and then at Madison University, at Hamilton, N. Y., being kept at school continuously, with the exception of one year, till he graduated under the celebrated President Eliphalet Nott from Union College, Schenectady, N. Y., in July, 1849. The one year to the time of his graduation that he had not been at school, 1845-46, was spent as a pedagogue in Tennessee. He was principal of Bethany Institute, about twenty miles east of Memphis. While in Tennessee his father died and this necessitated his return at once for the set-

tlement of the estate and the care of his mother. Finding his patrimony only sufficient to start him in some modest business, or to put him through the balance of his college course, he determined to use it for the latter purpose, much against the urgings of his family, who thought he was too frail to undergo the rigorous course of study. Because, also, of his being the youngest and only child left unmarried, his mother would have kept him with her at home. But she yielded to his earnest purpose to finish his education. His decision was finally reached one day when he was on his way to Hamilton. Having allowed the stage coach to go on while he stopped to call on an old friend five miles short of that place, he was walking the distance alone. On gaining an eminence, he caught a first view of the old university buildings three miles away across the valley, and halted suddenly to take in the scene. He looked long and earnestly, but despite his interest and desire as he made his earnest survey, the recollection came strongly upon him of the doubts expressed at home as to his physical ability to continue so long at study. When all had passed through his mind, when he had weighed the fears and wishes of his family, he said to himself, aloud: "There I will go through or lose my life in the attempt." This resolution being finally made he went down the road and across the beautiful valley to that battleground of college hopes and fears. Such was her anxiety on his account that for one year his mother took a house and remained with him at Hamilton, that she might be with him and care for him.

The student foreshadowed the man. Having decided what to do, he did it. He was obedient to college rules, but there came a time when he refused to yield to a requirement of the faculty which he and nine-tenths of the students considered an imposition. The faculty were inflexible. Seeing their determination to enforce the obnoxious measure, and not desiring to put himself in open rebellion, he asked for and received an honorable dismission to Union College. The other students remained and when the storm broke a hundred and fifty young men were suspended for insubordination, while he was peacefully pursuing his studies at Schenectady. At Union College

the independent way of thinking and the high resolve gained by inheritance were greatly fostered by the teaching and example of Dr. Eliphalet Nott. At that time no American institution was turning out larger classes, or better or more courageous thinkers, destined to make an impression on the world, than was Union College. All his life Dr. Dake stoutly maintained that no college president and no college system in America or elsewhere had been, or ever will be, superior to those of Union in her halcyon days, from 1820 to 1860. The list of her graduates during that period contains the names of men who adorned and still adorn almost every walk in American life.

Graduating from Union College in 1849 as a Bachelor of Arts, at the age of twenty-two, the world was before him. His choice of the medical profession as a calling had not been made early in life. Indeed, 'at sixteen years of age he thought of studying law and began to read Blackstone in the office of an eminent lawyer. Deciding that his education was inadequate to the requirements of a learned profession, he determined to return to school, and did so. Before he had reached the end of his course he had been strongly impressed with the feeling that he ought to preach. Discouraged from this by a throat affection, and troubled with dyspepsia, a natural inclination to the profession of his father and elder brothers finally determined him to study medicine. After graduation at Union College, therefore, he left Schenectady and went to Pittsburg, where his eldest brother, Dr. D. M. Dake, was engaged in medical practice. Here he studied medicine under the preceptorship of Dr. Gustavus Reichhelm, a distinguished graduate of the University of Halle, Prussia, who was the first man to carry homeopathy west of the Alleghenies, in 1837. He attended one course of lectures at the Geneva College (old school), at Geneva, New York, and at this institution made himself popular by an essay in defense of homeopathy, rather a daring undertaking in an old school college. After this he attended the Homeopathic Medical College of Pennsylvania (now the Hahnemann), at Philadelphia, which was the first fully organized homeopathic college in the world. From this institution he graduated in the

spring of 1851, and was from the first a fearless and active disciple of the new school of medicine. His thesis, or graduating essay, was afterwards published in the *American Journal of Homeopathy*, and also in several of the foreign medical journals. While in Philadelphia he enjoyed the friendship of Drs. Hering and Williamson, and especially of Dr. Neihard, with whom he spent many hours of profitable conversation, and who was the latest survivor of the old faculty. Dr. Neihard died a few years later crowned with honors as with years.

Returning to Pittsburg after his graduation, Dr. Dake became associated with his former preceptor, Dr. Reichhelm. In 1853 Dr. Reichhelm removed to Philadelphia, leaving the young physician a large and desirable clientele. Despite the demands on his time made by his large practice, however, he found time from the beginning of his career to defend the medical faith that he had espoused. Indeed, he had begun that before graduation, as his first writing on the merits of the new system of therapeutics was an essay read before the senior class at Union College in 1848, and afterwards published in a Schenectady paper by Dr. Swits. It was entitled "Generalization in Medicine," and was written to illustrate logical methods.

The city papers of Pittsburg printed numerous vicious attacks upon the new school of medicine, written, of course, mainly by physicians; and these attacks found in Dr. Dake a ready disputant. As he expresses it in his autobiography, he was so imbued with a high conception of the scientific character of a system of therapeutics based on a natural law that he was ready to contend with the biggest allopathic Goliath, however mighty he might be in wielding the lancet or the pen. Files of the leading daily papers of Pittsburg, from 1849, show these controversial articles from his pen which notably proved the truth of his readiness, and which led his opponents to recognize in him a literary as well as a medical scholar of no ordinary rank. It was in 1849, while yet a student, that he took a hand in the fight with Asiatic cholera at Pittsburg, and particularly in the controversy that sprung up in the newspapers in regard to its treatment. And such was the force of these articles that Dr. Dake was solicited to become associate editor of the *Phila-*

delphia Journal of Homeopathy, which he did in 1852; afterward he was associate editor of the *North American Quarterly Journal*, of New York. Both these journals printed articles which show the ability he possessed as a writer even at that time.

In April, 1855, Dr. Dake was invited to deliver one of the orations at the celebration in Philadelphia of the centennial anniversary of Hahnemann's birth. At that celebration he met as his fellow orators Dr. Joslin, the senior, and Dr. Bayard, of New York, both fellow alumni from Union College. Such was the force and effect of this oration and such the impression made on the profession, not only on those who heard it delivered, but on those who afterward read it as printed in the medical journals, that he was in the autumn of the same year called to the chair of materia medica in his alma mater. In view of his youthfulness he took the chair, as he records, with no little misgiving, and this misgiving was not lessened by the importance of the teaching which was demanded. To his difficulty, much was added when he subjected the literature of his branch to critical examination. His urgent and thorough investigation of the matter led to the preparation of a paper on the need of a better condition of things, and this paper, read before the meeting of the American Institute of Homeopathy at Chicago in 1857, was the beginning of the work that was afterward finally accomplished largely by his own labors. For two winters Dr. Dake left his practice to his partner, Dr. J. C. Burgher, and delivered these lectures on materia medica and therapeutics in Philadelphia, and here his faithful earnestness as a teacher impressed every pupil. "He was not a stern, pedantic instructor, whose erudition lifted him far above the level of those whom he taught," says a pupil of that year; "he was kind, considerate and helpful, bearing patiently with those who were slow to learn, and appreciating those who were gifted beyond their fellows, yet withal conscientiously careful to display no favorites. His sincerity gained respect, his urbanity and dignity held their regard, while there was an attraction in his cultivated voice and a winning warmth in his smile that won affection from the pupils at first acquaintance." He found, however, that his health was

impaired by the exactions of this double work, so that he reluctantly withdrew from the lecture room and returned to Pittsburg. There he resumed his practice, to which he devoted his entire time, except in so far as he continued to write for the press and for the medical journals.

It was at the Chicago meeting in 1857 that he was elected president of the American Institute of Homeopathy. He had first seen the Institute in session at New York in 1848, when it was but four years old. That year there were present Drs. Jeans, Williamson, Kirby, Cator, McManus, Wells, Payne, Gregg, Marcy, Paine, and others then distinguished in their profession but now long gone to their rest. In 1855 he was elected general secretary of the Institute, and by persistent notices in the journals and by circulars he succeeded in greatly increasing beyond anything that it had ever been the attendance in 1856 at Washington. At this Washington meeting he proposed a startling innovation when he moved to hold the next meeting in Chicago, but after a warm debate of an hour he succeeded in carrying his proposition. Many of the leading practitioners present expressed their fear that in holding the meeting so far West, where there were comparatively few to attend, and where even that few were so scattered in the woods and over the prairies, the meeting and even the society would inevitably be ruined. But the result was most surprising and the Chicago meeting was large and lively. Chicago was then a young city, but a vigorous one, with an active local committee, and the meeting was an unqualified success. As a result of the prominence he had now gained, and in recognition of his past services as secretary and as a writer, Dr. Dake was elected president of the Institute in which he had from the first been an active, fearless and conscientious worker, and in which he retained his interest to the last. This meeting was also noted for having the first regular banquet with toasts and music that had been known in the history of the Institute.

The resignation of his professorship in Philadelphia, which came during the year 1857, was a source of genuine regret to him, because he was fond of teaching and fond of being among the students, even though his branch was at that time the

least exact and the most trying of all taught in the college. But despite the growing practice and the demands on his time made by public duties, he found time to continue his writing. He was a careful and voluminous writer upon many medical subjects, and the journals and magazines printed his writings gladly. In 1859 he published a small work on "Acute Diseases," which has appeared in several large editions since that time and has acquired a wide reputation for usefulness. This work was chiefly for domestic use. In 1860 he became one of the editors of the *United States Journal of Homeopathy*, Chicago, and in this journal he wrote powerfully of the universality of the homeopathic law.

The pressure of much work had its inevitable effect upon a constitution never robust, and his impaired health obliged him to relinquish his practice. He retired to his farm near Salem, Ohio, leaving the choicest clientele that had ever been gathered at that time in the city of Pittsburg. There, and on the south shore of beautiful Lake Erie, he turned his mind and worn-down energies to the cultivation of fine fruits, especially the grape. As in every other pursuit in which he ever engaged, he succeeded; he succeeded so notably that he was soon at the head of the Grape Growers' Association of Ohio. Pomology interested him intensely, while it restored him to health. During his administration as the head of the Grape Growers' Association he also wrote upon topics connected with his new pursuit, the Ohio State Reports of those years containing papers from his pen. During this time also Mr. Charles Downing, Mr. Barry, and other distinguished pomologists, were brought to the south shore of Lake Erie to see the wonderful display of grapes there. As a result of the experiments in grape growing at that time, and as a direct result of the discovery that this soil and climate were peculiarly adapted to the vine, this section of Ohio is now one of the greatest grape growing sections of the United States.

But even in the midst of this success, there was a shadow on the home. The climate was rigorous, and the declining health of his wife led him again to think of Tennessee. In a matter so vital, to think was to act, and to secure for her the advantage of a milder climate he removed to Nashville in June, 1869. Feel-

ing fully recovered, he determined to return to the practice of his chosen profession. He announced himself as a practitioner of the new school, and opened his office July 1, 1869, among strangers. Homeopathy had just fairly begun to make its way in the South when the war had come to place a barrier in the way of its progress and to discourage for the time the incoming of more of its practitioners. When he came, therefore, he found himself almost a pioneer again, but in an attractive field and among a hospitable people who received him gladly. His reputation made at Pittsburg followed him to Nashville and soon business began to pour in upon him—not because of adroit advertising, not because of any other thing than because he had earned it by study and by his attention to medicine for many years. A notable illustration of Dr. Dake's modesty, and of his even over-scrupulous avoidance of anything that looked like using outside influences to acquire practice may be found in this: He was a Mason, Past Master of his lodge in Pittsburg, and had been a Royal Arch Mason for twenty-five years when he came to Nashville. On his arrival in Nashville he refrained from affiliating with the order here, determined that no one should even accuse him of making use of such introduction to gain business. But the business came.

Becoming a citizen of Nashville from necessity in part, with his characteristic enthusiasm he became a citizen without any superior. Nor, despite the pressure of business, was his pen idle. He soon issued an enlarged and revised edition of "Acute Diseases," a pamphlet on "The Remedies We Use," and a larger one on "Therapeutics in Outline," the latter being a display of the leading principles and methods of therapeutics of the law *Similia similibus curantur*. During his busy life he not only wrote for the journals and magazines, but contributed a multitude of articles for the daily papers and wrote many pamphlets on medical and sanitary topics, besides numerous papers and reports for the American Institute of Homeopathy. Not a volume of the transactions of the American Institute since his earliest connection with the national society but contains papers from his pen or reports from important committees of which he was chairman or a leading member. As chair-

man of the bureau of materia medica in that society he conducted important investigations for several years touching drug attenuation and materia medica improvement, matters which he had first broached at the national gathering in 1857. On the former subject he submitted an important paper at the World's Convention in Philadelphia in 1876; on the latter he again prepared an able paper which he read at the World's Convention in London in 1881. By his efforts in this country and those of Dr. Richard Hughes in England a "Cyclopedia of Drug Pathogenesis" was prepared and issued in four handsome octavo volumes.

Indeed, one of the two monumental works of a professional character to be attributed to Dr. Dake was the preparation in conjunction with Dr. Hughes of this cyclopedia of drug pathogenesis. It is now, and will for generations, if not forever, be, the standard of the medical school to which they belonged. Dr. Hughes in the British Homeopathic Society and Dr. Dake in the American Institute of Homeopathy had been ardently advocating the necessity of the thorough revision of the materia medica, and the work had been inaugurated. At the session of the American Institute held in Deer Park, Md., in June, 1884, the committee to select the American editor reported that in the selection of a man to fill this position they should have a representative man, an able man, one thoroughly versed by long experience in this peculiar form of work; that he should be a man whose heart is in his work; a man who could not be suspected from his connection with any institution of learning of having any interests at stake but the advancement of the great and important enterprise in hand. The report then continued: "There is such a man in this institute, whose name appears in every volume of the transactions for over a quarter of a century in connection with able literary work; a former professor of materia medica—perhaps the oldest professor of that branch now living in America. The man with whom the idea of a revision of the materia medica, so far as America is concerned, originated; who for years has been chairman of the Bureau of Materia Medica in this institute; who is always at his post; who has never defaulted in the presentation of a good re-

port—showing hard and original work—a man, a representative man, possessing from long experience the necessary ability; a man whose heart is in this enterprise, and who of all men should work in harmony with him who is our unanimous choice as foreign editor; an ex-president of this institute, who is connected with no college; who is respected, admired, beloved by all. That man, the unanimous choice of the committee, is J. P. Dake, M.D., of Nashville, Tenn.”

What was said of the man named to represent the American practitioners of homeopathy was deserved before it was said, but the amount of work entailed by the appointment and the manner in which the work was done make the deservedness of it multifold. To do this work it was not only necessary to consult every existing authority so far as reliable, and to sift from all the chaotic mass of the then existent material the small amount of available accurate information, but by far the greater part of the work had to be done *de novo*, and the facts gathered from practitioners themselves, and from the voluminous facts hitherto collected by these distinguished workers for their own use. It involved a tremendous and almost world-wide correspondence for the next seven years. It required the digesting of a vast amount of gathered material and the freeing of it from unimportant or unproven facts. It necessitated the reading and re-reading of many thousands of pages of proofs and revises which must be read on both sides of the Atlantic; being read and marked by one of the two editors, it was then sent across the waters to his confrere. No matter how filled with the labors of his practice the days might be, large portions of the nights, and many an hour of the days, must be given to this work for years. And it was given freely and ungrudgingly. Neither Dr. Dake nor Dr. Hughes received a dollar of compensation, nor did they expect it. But the work was done, and appeared beginning with the first volume in 1886 as rapidly as could be with the necessary care, until the last of the four handsome books was finished, with the date 1891 on the title-page. Both the editors have now gone to their reward. But the work lives and marks the degrees of their love for their profession. Its appearance marked an epoch in the history of

homeopathy, an era in medical science ; and the work will always be historical, whatever may be added in the future to the knowledge the world now possesses of drug pathogenesis.

The "Pharmacopeia of the American Institute of Homeopathy" is another standard with which the name of Dr. J. P. Dake is indissolubly linked. As early as 1868 a committee was appointed by the institute to prepare such a work, and from time to time made reports of progress, down to 1874, when the chairman, Dr. Carroll Dunham, said that that was the last time the committee would have to report progress ; that before the next annual meeting the work would be ready for circulation. But the continued illness of a leading member of the committee kept the manuscript from being ready for the printer, and preparations continued for the two following years for the World's Homeopathic Congress at Philadelphia. This and the death of Dr. Dunham soon after prevented publication. Efforts were vainly made to secure the manuscript of the committee. So, in 1886, Drs. J. P. Dake, C. Wesselhoeft and A. C. Cowperthwaite were named as a committee to consider the matter of having a pharmacopeia issued by the authority and under the auspices of the institute. The committee reported in favor of the project, suggesting a conference with a view of making the work international in character. They critically examined the British pharmacopeia and suggested needed alterations. A committee of twelve was decided upon to undertake the task, and Dr. Dake was made chairman of that committee. From convention to convention reports were made and the work proceeded, not, however, being finished until after Dr. Dake's death, though he remained chairman of the committee until he died and did a vast amount of work on it. When he died the bulk of the labor had been performed, though the work did not appear in its complete printed form until 1897.

Dr. Dake's long connection with the American Institute of Homeopathy and his active interest gave him a peculiar prominence in its proceedings. When he had been connected with the institute continuously for twenty-five years, he became by virtue of that service a member of the Senate of Seniors. To the Senate of Seniors were referred for arbitration and settle-

ment all differences between members of the Institute and all questions requiring special delicacy and diplomacy in their consideration. The year after his entrance, always ready for a little humor, Dr. Dake prepared and printed a form of comic initiation that was used for several years in taking into the Senate of Seniors those whose twenty-five years' membership in the Institute had been attained. It was the occasion of a great deal of fun among the dignified physicians.

In 1873 Dr. Dake was in a hard fight with his old enemy, the Asiatic cholera, and when the smoke cleared up and a count was had, he found in his list of cases less than two per cent of deaths. It will be remembered that the epidemic of 1873 in Nashville was practically confined to the month of June, but the discussion it engendered waxed warmer and warmer till the summer was over. Dr. Dake took his part in the discussion. In the *Republican Banner* of August 21, 1873, there is a review of the cholera in Nashville, its character, treatment and results, which forms one of the ablest contributions he ever furnished to medical knowledge. The subject is wonderfully well covered in about four or five thousand words, and this little treatise on cholera is in exact line with what medical science has since admitted to be the facts. The success of his own treatment is summarized in his brief biography as a victory for homeopathy.

But in the midst of discussion and battle, the many-sidedness of the man appears, familiar only to those who had known and loved him. Those were days of deepest care and earnest thought—that cholera epidemic of 1873 and the summer that followed that fatal June. But there was a time for all things. In that same issue of the paper containing his treatise on the cholera, the *Republican Banner* of August 21, 1873, there is another contribution from Dr. Dake that emphasized that truth as much as it is possible for it to be emphasized. During the summer he had been contributing to the paper at irregular times a series of articles suggested by a visit to Beersheba, which he signed "Hugh Bedam." In the article of August 21 he gives a humorous account of a journey familiar to all who have visited Beersheba, a trip to the Stone Door. It is full

of incident, and so full of life that those who have taken the trip must know instinctively that he has based it on a real visit, and that the humorous incidents are not all imaginary.

Dr. Dake was a member of the Royal Arcanum, and was the first State Examiner for that order in Tennessee. Through his hands for many years passed every application for membership, to be approved or disapproved by him as a safe or unsafe risk.

But growing business and other heavy duties cheerfully assumed bore him down, and overwork brought about a broken state of health that compelled him early in 1875 to leave his work and go across the ocean. May 26 of that year he had a slight stroke of paralysis, and after his recovery he left, June 26, for Europe, where he remained until November. Travel and new scenes restored him to vigor during these few months in Europe. He visited the British Islands, Holland, Belgium, Germany, Switzerland, Italy and France. His active brain found work of a most agreeable and refreshing character in those old countries with cathedrals, palaces and visiting collections of art. On his return he decided to give up his general practice, and confined himself to the office practice and to consultations with his sons. He found much more time thereafter to devote to literature and art and to charitable and humane enterprises.

At one of the annual meetings of the friends and managers of the Nashville Woman's Mission Home, the late Rev. A. J. Baird moved the appointment of Dr. Dake as chairman of the Advisory Board, in order, as he said, to secure the building of a hospital, an addition greatly needed by that institution. Very soon thereafter the chairman had each manager supplied with a small subscription book bearing his own signature and that of his wife for a considerable sum each, and by the time the architect had his plans and specifications made, money enough was subscribed on the little books to warrant the giving out of the contracts for the building; and in less than a year the hospital addition was ready to use.

In the National Centennial year one of the great gatherings that signalized the holding of the commemorative exposition at Philadelphia was the World's Homeopathic Congress, where, in obedience to the programme, Dr. Dake read a paper intended

to be a discussion of an essay by Dr. Hering on "Materia Medica as a Science." This attracted wide attention in the profession.

In 1876 he was also called again to a chair in his alma mater—this time the Chair of Principles and Practice. He accepted this work, but continued in it for a single year only. Owing to his wife's inability to remain so far North during the winters and to his own unwillingness to be away from her, he tendered his resignation, so that he could remain with her in Tennessee.

In 1878 Dr. Dake was appointed as a member of the Homeopathic Yellow Fever Commission, organized to inquire into the treatment as well as preventive measures resorted to during the great epidemic along the lower Mississippi and in Tennessee. This commission, it will be remembered, was appointed at the original suggestion of a lady. During the summer of 1878 an epidemic of almost unprecedented malignity visited a portion of the Southern States, its fury seeming to concentrate itself at Memphis, Tenn. Differing in many points from the disease as it had been known in former years, the malady was still classified by the vast majority of physicians as yellow fever. Theories to explain its malignancy abounded, and medical faculties discussed but could not explain satisfactorily to each other the vagaries of the disease. Mrs. Elizabeth Thompson, a New York lady, suggested a commission of physicians to investigate the character of the disease, accompanying the suggestion with an offer to defray the expenses, and a commission of allopathic physicians was appointed. Their report to the American Public Health Association being very unsatisfactory to a large part of the medical profession, a Homeopathic Yellow Fever Commission was appointed, and when Mrs. Thompson was informed by Dr. Verdi, of Washington City, of its appointment, she volunteered to pay its expenses also. This commission went into the matter as thoroughly as possible. They submitted their report to the American Institute of Homeopathy in 1879, and dealt with the treatment called for more than with prevention or prophylactic measures. The lines of this report were far-reaching and included practically all that is yet known about the management of the yel-

low fever. Such was the impression made by the thoroughness of this report, that the secretary of the commission, Dr. T. S. Verdi, was shortly afterward appointed a member of the National Board of Health, appointed a little subsequently.

The second World's Congress of Homeopathic Physicians was held in London in 1881, and by appointment Dr. Dake read a paper before that body on "Drug Attenuation." He was delightfully entertained during his stay, his extensive services to medicine as well as his strong personal attractions serving to secure him great attention. He had great pleasure in meeting and mingling with his English confreres at their elegant and hospitable homes, as well as at the sessions of the Congress. To the writers in Great Britain he regarded the English-speaking countries as indebted in a large way for their eminent services. "Dudgeon's Lectures," he says, "and the writings of Drysdale, Black, and other wise and learned associates in the British Journal, at an early day, saved our cause from the destruction imminent by reason of transcendentalism (nihilism of dose) and the indiscriminate gathering and remorseless dismembering of all reported drug symptoms." In London he visited Dr. Roth, the great translator and writer on the "Swedish movement cure," and "massage," into both of which he particularly inquired. After the adjournment of this congress, in company with his friends, Dr. and Mrs. Talbot, of Boston, he traveled through Holland, North Germany, Denmark and Sweden, and then with a medical friend across into England and Russia, and afterward through Finland and Norway and back into England. While in Amsterdam he and Dr. Talbot and another medical friend called upon Dr. Metzger, celebrated as having cured the Queen of Sweden and the Queen of Spain after the failure of the physicians of their respective countries. Dr. Metzger received the visitors cordially and showed and explained to them his mode of treatment in the two celebrated cases. On inquiry he stated that he had depended little upon drugs; chiefly on massage and Ling movements, as called for by the pathology of each case, and a knowledge of vital mechanics. Patients were then flocking to Dr. Metzger from all parts of Europe.

In 1881, while standing at the grave of Galileo, Dr. J. H. McClelland, of Pittsburg, who had also attended the World's Congress of Homeopathic Physicians, first formed the idea of a national monument to the memory of Samuel Hahnemann, the founder of the Homeopathic School of Medicine. Eleven years later the time seemed propitious and he proposed the erection of the monument to the American Institute of Homeopathy. A committee of five, Dr. McClelland being chairman and Dr. Dake a member of the committee, was named to carry the project through, two other members being added some years later. Over a thousand dollars was raised almost instantly. It was resolved that the memorial should be of bronze and granite, and that it should stand in the city of Washington. The cost was figured at from \$50,000 to \$75,000. The following year progress was reported and the Institute pledged \$3,000. In their report in 1896 the committee noted the steady growth of the monument plan from a vague and indefinite idea to a superb conception from which a model was already selected. Models had been submitted by artists representing American, German, French, Spanish and Italian sculpture and were exhibited at the American Academy of Fine Arts in New York City, being the first public exhibition of competitive models held in this country. Congress was asked to grant a site, and a resolution authorizing the selection of any site that was suitable and unoccupied passed both houses; but President Cleveland, believing the resolution too broad in its terms, failed to sign it, and a two-years' wait was necessary. Plans for raising \$75,000 were adopted, and two years later President McKinley signed the resolution adopted by the Fifty-fifth Congress within a few hours after its adoption. The commission appointed by Congress to select the site recommended Scott Circle, probably the best site that could have been had. In 1899 efforts were redoubled and during that year and the first half of 1900 the rest of the money was raised. June 21, 1900, the monument was dedicated with elaborate and fitting ceremonies in the presence of President McKinley and many high government officials. This memorial is one of the most beautiful in Washington, being attractive from every point of view. Three of the

original committee did not live to see the work completed—Drs. Dake, Talbot and Mitchell. To the monument fund Dr. Dake and his sons were among the largest contributors, and his interest in the undertaking was keen to the last. On the day after his death a letter came from Dr. McClelland asking his advice upon the matter of requiring a uniform scale in the models for the monument, and upon other matters connected with it.

His passionate love of art strengthened by the fine pictures he saw in the great galleries abroad, Dr. Dake desired to unite the artistic elements of Nashville in an attempt to build up art interests at home, and so he took the initial step in the matter of organization. Under date of January 17, 1883, he sent to the artists and art lovers of Nashville postal cards inviting them to a meeting at his own house on the following Friday evening at eight o'clock, "called for the purpose of organizing an Art Association for Nashville, to be composed of artists and friends of art." The meeting was largely attended by the invited parties and the Nashville Art Association was formed, an organization made up of the best people of the community, with Dr. Dake as president. The society grew into unquestioned success while he was at its head. Aided in the management of the Association's affairs by the active art element of the city, Dr. Dake saw many of the hopes partly realized. The Association accomplished splendid results in the upbuilding of art interests in Nashville. Miss Annie Tavel, from before the organization a strong and efficient worker in the cause, was financial secretary of the Association and secretary of the Art School established by the Association's efforts. The purpose of organization had been not only to foster an interest in art, but eventually to create and encourage an advanced School of Fine Arts. The school was established and George W. Chambers made director. Mr. Chambers will long be remembered for the notable pictures he painted while here. The influence of his work was strongly felt, but after his departure the school waned and was finally discontinued, its career extending from 1886 to 1892. One of the most potent factors in encouraging the art taste of the city was the holding of mer-

itorious exhibitions. Three exceptionally good ones were held by the Association. The first was in the rooms now used by the Carnegie Library in Watkins Building, from March 30 to April 25, 1885. The second was a black-and-white and water color exhibition at the same place, from May 8 to May 22, 1886. The third and most successful one was held in the Broad Street Amusement Hall March 18 to April 15, 1890. It was during this last exhibition that the controversy over "The Girl in Blue" was waged long and vigorously, resulting in attracting about all the reading public of Nashville to the exhibit. Dr. Dake originated the contest. Mr. Chambers was sick and unable to leave his room. The exhibition was so slimly attended that failure looked certain. Something must be done. A chance discussion between two visitors suggested it. Taking a friend into the secret, Dr. Dake wrote an article savagely assailing "The Girl in Blue" as a work of no merit. His friend replied in hot defense of the picture. Herman Justi wrote also, under the name of "Drummer." As Managing Editor of the *Evening Herald*, I was a party to the conspiracy. The controversy waxed hot and a score of others innocently wanted to take a hand. People began pouring into the hall to see the picture, and the day was saved. The exhibition resulted in a profit, allowing the purchase of a number of fine pictures which were the nucleus of the proposed art gallery. It is still but a nucleus. Many who saw "The Girl in Blue" at the Centennial Exposition recalled the animated controversy, but few ever knew how the controversy started.

An organization in which Dr. Dake took a peculiar and especial pride was The Round Table, of which he was one of the founders. Such was his devotion to it that this organization was given entire charge of the funeral services. It was organized January 28, 1884, at the original suggestion of Dr. James H. Worman, then Professor of Modern Languages at Vanderbilt University. Thirteen responded to the call for a meeting to organize, this first meeting being held at Mooney's restaurant an Church street. The object of the club was social intercourse and the discussion of important current topics—social, economic and literary—and it has always been the idea

to cultivate good talking rather than the reading of papers, though many excellent papers were presented. The name Round Table was taken at the suggestion of Herman Justi, and a good supper was always a part of the programme. Founding the rule on the custom of the old Greeks, with whom a banquet was not a banquet without plenty of good talk, and with whom not over twelve or fifteen was considered best for intelligent conversation, the membership of the Round Table was limited to twenty, on the estimate that two-thirds of the number would be about the usual attendance. Strangely, the usual number in attendance was thirteen, though ill fortune has not seemed to pursue the club. Many of the members became, or were already, well known in politics, education and other fields of activity. Dr. Dake was president in 1888-89 and was frequently assigned to lead in the discussions. As indicating the range of subjects discussed and the active part taken by him, it may be of interest to print the topics discussed by him. It will be suggestive also in showing that his work was not confined to professional matters altogether in a literary way. Two leaders were appointed for each discussion. The subjects discussed when he was one of the leaders and the gentlemen taking the opposite view, as per appointment, were as follows:

December 15, 1884. With W. M. Baskervill: "Ought the Universities be Opened to Women?"

November 11, 1886. With Charles Foster Smith: "Suffrage."

February 10, 1887. With George W. Chambers: "The Duty of the State to Encourage Fine Arts."

December 3, 1887. With George W. Chambers: "Dangers to Government Through Popular Suffrage."

January 28, 1888. With Dr. T. A. Atchison: "Heredity."

October 26, 1889. With Dr. D. M. Harris: "The Modern Pulpit."

February 2, 1889. With H. M. Doak: "Mind Reading."

February 15, 1890. With Dr. T. A. Atchison: "Influence of Republicanism on Society."

January 10, 1891. With George W. Chambers: "Greek Art and Its Influence."

February 6, 1892. With Nathaniel Baxter, Jr.: "The Character and Influence of Napoleon Bonaparte."

March 4, 1893. With G. M. Fogg: "Restrictions Upon Immigration."

December 2, 1893. With Dr. D. C. Kelley: "The Partition of Africa, and What is Its Promise?"

April 7, 1894. With J. M. Dickinson: "The Tennessee Centennial."

It may be said without fear of contradiction that no other such strongly literary body of men has ever been in existence in Nashville, and that no member sustained a better part of it than Dr. Dake.

Early in 1885 Dr. Dake again crossed the Atlantic, this time in company with his son J. P. Dake, Jr., whom he took to Wiesbaden in the vain hope of benefit from the thermal and saline waters. These trips abroad were utilized by Dr. Dake in the careful observation of the best hospitals, their outfits and modes of management. After close observation and study he was impressed with the fact that the best American hospitals did not suffer by comparison with the best of those abroad.

The reputation of Dr. Dake as a teacher was as widespread as his reputation as a practitioner, and several offers to assume work in leading medical schools were received by him. Perhaps the most flattering of all was the call unanimously extended him in October, 1885, to take the chair of Theory and Practice in the Medical Department of the University of Michigan, at Ann Arbor. The inducements held out were such as are seldom held out to a man to accept an honor tendered, and the formal proposition was reinforced by personal letters from many warm friends in that State. In addition to whatever practice he might choose to do, the income promised him from the university work would have been a good living salary. As an example of how the appointment was regarded, one friend may be quoted: "I say that your appointment would be received with more earnest words of commendation than it is possible for any other man in this country to receive. Come and crown the end of an active, well-spent professional life by molding your years

of experience into a volume that would be more gratefully received than I can tell you in words."

The letter tendering the position says: "We wish to select a man of ripe experience and possessing the confidence of the profession of the entire United States. In you we see that man, and think that it would be a fitting end to a useful life to take a position where your ripe attainments and long experience will diffuse themselves and elevate the standard of education among our young men."

The tender, however, attractive as it was, had to be declined. He had grown too much attached to Nashville, and had built up too many strong ties that held him in Tennessee. Of all the honors tendered which he could not accept, this was perhaps the most appreciated.

In the American Institute Dr. Dake did work on several bureaus, chiefly on that of materia medica and pharmacy. There he brought forward criticisms upon the inexact and insufficient provings of drugs, and the consequent unreliable character of the homeopathic pathogenesis, and recommended plans for its improvement. As chairman for two successive years, he had the whole bureau at work upon the objects and results of drug attenuation, and these results were embodied in the paper read at the London Congress of 1881. In pursuance of this work, also, and despite his practice and the work progressing along other lines, Dr. Dake found time during the latter part of 1885 and early in 1886 to prepare for publication his book on "Therapeutic Methods," a book that was his own in every part. It contained the substance of his brilliant course of lectures on the history and principles of medicine delivered at Hahnemann Medical College ten years before. The work was calculated, without tedious detail, to show the medical student the exact place in therapeutics occupied by the homeopathic method, the scientific character of homeopathy, the exact meaning and domain of the homeopathic law, and the value of a universal law in therapeutics. It was the mature result of thirty-five years devoted to the careful application of these principles. Among the comments on it from ex-presidents of the American Institute and others high in the school are: "One of the most

remarkable books of the decade;" "Solved many knotty problems that have harassed me for years;" "Will answer more medical questions than a cyclopedia;" "The finished production of one of our most able, conscientious and classical writers." The book was such a success as to demand the issuance of a special college edition three years after its first appearance.

October 10, 1837, homeopathy had been first introduced west of the Allegheny Mountains by Dr. Gustavus Reichhelm, and the fiftieth anniversary of this event was celebrated at Pittsburg on the afternoon of September 20, 1887. A significant programme was prepared for the meeting, and the historic address of the occasion was delivered by Dr. Dake. In his address he reviewed the circumstances that led to the coming of the new healing west of the mountains, "on a bright October day, when the fields of living green were becoming bronzed, and the woodland decorated with tints of purple and gold. As the softening haze on hillside and valley, peculiar to the season, hid from view the rugged and forbidding features of the distant landscape and cast a charm over all, so did the influences of youthful vigor and buoyancy, and the enthusiasm of a free and expanded son of the old Fatherland hide from anticipation all thought of the frowning prejudice and many annoyances that were awaiting him." Reichhelm worked alone for eight years, when another practitioner of homeopathy located across the river. In 1847 came Dr. D. M. Dake, the eldest brother of Dr. J. P. Dake. The sixth homeopathic physician to locate in Pittsburg was Dr. J. P. Dake himself. This address is of the utmost historic value to the profession; it is a story of fifty years of medical progress, and bristles with evidence of deep study and wide-ranging knowledge. It is a veritable history of homeopathy in the West in the early days. The past of medicine was reviewed and some justifiable boasting indulged in at the increase in the number of homeopathic physicians from a single one in 1837 to over five thousand in 1887 west of the mountains. The address was handsomely printed in the volume commemorating the occasion.

One of the many enterprises in which Dr. Dake took an active interest was the erection of a commodious and comfort-

able home for the poor and insane poor of Davidson County. When the erection of modern buildings had been decided upon, the County Court, at its April term, in 1891, appointed a committee to determine plans and to supervise the construction of the buildings. This committee consisted of John Overton, chairman; Dr. J. P. Dake, secretary; Dr. W. P. Jones, B. A. Phillips, Dr. J. H. Jordan, Dr. D. F. Banks and Judge R. R. Caldwell, *ex-officio*. This committee met on the 15th of the month in which they were appointed and at once organized by electing the chairman and secretary as above stated. Judge Caldwell, Dr. Dake and Dr. Jones were named as a sub-committee to draft and formulate the information on which the architects should proceed in making competitive plans for the buildings. The minutes of this meeting made twenty-four lines in a little memorandum book in which Dr. Dake kept the records of the committee's work from this time until the final acceptance of the completed buildings and the final report of the committee submitted to the County Court, that is to say, on the 10th of January, 1894. These records are models of compactness and completeness. All the acts of the committee, all the reports of sub-committees, all the bids and all the requirements and all the instructions to the architect, as well as his action on the same, are set forth in brief space and so as to form a complete record of the committee's life until discharged by the court after their work was done. Every item of information that came before the committee, all the troubles with contractors and the entire workings of the committee are covered, and yet the book could be carried in the breast pocket. The full attendance at meetings is a noticeable feature of this committee, all of whom were working from their interest in the poor and helpless, and not for compensation. Sometimes the meetings were held from day to day, and not infrequently more than once a day. The splendid results of the work will long stand a monument to the members of this committee, and especially to him whose repeated visits to the hospitals of Europe and America and careful and intelligent study of their methods and management had well fitted him for this duty. When the work had been completed the County Court voted to

each member of the committee one hundred dollars, which was, and was intended to be, within the amount of actual expense incurred by the members in their numerous visits to the site of the buildings, etc., but this repayment, or compensation, was declined by some members of the committee, of which number Dr. Dake was one.

At the great World's Congress at Atlantic City in 1891 Dr. Dake took an active part in the proceedings. One of the leading addresses was delivered by him, his subject being "Civil Government and the Healers of the Sick." Of all the large gatherings he had attended, he thought that none ever came up to this Congress of 1891 at Atlantic City. The topic discussed was one that was near to him. Dr. Dake always contended against legislative enactments for the regulation of the practice of medicine by boards of censors, and wrote much on the subject for the daily papers and for the journals, as well as some pamphlets. He objected to the drawing of a line basing a license to practice on the possession of a diploma, since, as he contended, the most dangerous medical impostors and quacks have diplomas. He was an advocate of a law requiring each practitioner to write a personal history on a register kept for the purpose and open to public inspection, in the office of the County Clerk, under oath, telling what he has done to qualify himself for practice and to merit the confidence of the sick. His motto was, "Light for the people and freedom for the physician." Though possessed of as many and as good diplomas as any medical man in the State, he says: "Let every man stand on his practical merits, not on the small gatherings of his schoolboy days." His own expression on this subject is given in his autobiography. In the concluding part of this autobiography he chronicles the fact that he has written a great deal in his time on medicine, beginning when an undergraduate at a literary college, and continues:

"The files of our leading journals and the transactions of our national society covering a period of more than forty years show much of my work, as well as my views on current medical topics. In conclusion of my outline narrative, submitted with-

out embellishment, I must make mention of some of the leading thoughts and purposes that have generally led me on:

"1. In the first place I deemed it important to bring to my professional studies a mind well trained and properly stored with classical and scientific information, to enable me to deal critically with the great problems of the healing art.

"2. To me it seemed wise to avail myself of the best ways and means, the best helps devised, to prepare me for professional duties.

"3. In practice I adopted, and have constantly adhered to, a plan for the recording of my cases, as more than thirty portly volumes of records on my shelves will testify.

"4. In my writings I have seldom ventured to display cases and prescriptions for the very reason that prevented Hahnemann's doing so, namely, the faith one should have in the homeopathic law applied to a pure pathogenesis, a knowledge of drug effects in the healthy, and a faithful comparison of them with the symptoms of each case presented for treatment, has seemed to me of infinitely more importance in practice than a reliance upon the revelations of clinical experience, a source fruitful of all manner of empiricism and uncertainty. My medical logic has had the law as one premise, a pure pathogenesis as the other, and a safe cure as the conclusion. To me my clinical experience has by no means been useless, however. It has widened and also rendered more definite my views of disease on the one hand, while it has familiarized me, by many comparisons, with the characteristics of medicines on the other. It has made my work more expeditious and satisfactory—especially has it enabled me better to determine if a case calls for the homeopathic remedy, or rather for some hygienic, mechanical or chemical, or simply palliative measure. It has surely helped me to judge between doses variously attenuated, and as to the proper frequency of repetition.

"5. My writings have not abounded in observations intended, from my clinical experience to stamp the essential value upon drug symptoms, rating some as key-notes or characteristics; nor have I dared to gather symptoms from the sick room and publish them as positive drug effects, worthy of a place in the *materia medica*. In my judgment the characteristic and sure effect of various drugs must be distinguished from the personal or casual in the prover, in one safe way only—that of repeated and thorough trials upon the healthy.

"6. As a busy practitioner, often physically weary and mentally worried, exposed to all manner of disturbing influences, I have never regarded myself or others similarly situated as

proper provers of drugs; and hence I have most strenuously advocated a college of drug provers, where students of medicine, male and female, under skilled supervision and with all needed means for observing and noting symptoms, may be gathered for a few months each year and employed in originating material for a new materia medica. It affords me great pleasure to find the profession, at last, moving in the desired direction, as shown at the last World's Homeopathic Congress.

"7. I have always favored medical journalism. For years I took every homeopathic medical journal published in this country and in England; but the number has become so great I am obliged to select out those I consider the best.

"8. I have been a 'society' man; not in the common acceptance of that term, but as in favor of social medical organizations. In our early history it was plainly necessary for our practitioners to come together, not only for mutual improvement, but, as well, for mutual encouragement and defense. I am proud of the American Institute of Homeopathy; what it is and what it has done; and I hold that no physician in the country, who professes to practice homeopathically, can afford to miss its meetings and the reading of its transactions.

"9. Besides my other writings, in 1886 I gave to the world a volume entitled 'Therapeutic Methods,' embracing the substance of my course in Philadelphia on the principles of medicine, and showing especially the scientific character of the homeopathic therapeutics. I am quite willing to be judged by the teachings of that work in all the years to come.

"10. I have been an earnest advocate by pen and tongue of the rights of our school practice, as against unfair legislation instigated by members of the old school. And more—I have been unalterably opposed to State censorship as to modes and means of healing, denying the right of the civil power to dictate in the premises. I believe in the utmost freedom of the citizen while not a soldier, a convict, a lunatic, or a pauper, to choose his own minister and means of relief from physical suffering, without governmental restriction or interference; and equally do I believe in the impossibility of any legally fixed standard of qualifications to be erected and enforced by police government. Each college and each society, or all the colleges and all the societies of any particular school, may have requirements and regulations to govern their own members, and to be respectfully regarded by their adherents; but let any or all forever abstain from a seizure of the legal arm, the governing power, to coerce and limit human efforts for the cure of the sick.

"II. Among the greatest contributions made by me, aided by a faithful wife, to the cause of human healing, had been in four sons, graduates in medicine—namely, William C., Walter M., Charles, and Frank B. . . . all members of the American Institute of Homeopathy."

The closing paragraph given above is a just tribute to the members of his family, who were as devoted to him as he was to them. Dr. Dake's marriage was a peculiarly happy one, his wife being Miss Elizabeth Church, daughter of Dr. William Church, a prominent physician of Pittsburg, who died in 1829. The marriage was solemnized April 3, 1851. Mrs. Dake's paternal grandfather was also a physician. Her father's brother, Samuel Church, was a prominent manufacturer and merchant at Pittsburg, a bosom friend of Alexander Campbell and a great promoter of the doctrine taught by Campbell. Mrs. Dake's brother, William Irwin Church, was also a physician, having studied with Dr. Dake and afterwards becoming his partner. He died in Pittsburg in 1862. Though early left an orphan and possessed of a delicate constitution, Mrs. Dake received a good education in her girlhood. Possessed of a natural fondness for literary work, she has written many lines of great merit, but which are words of comfort and consolation addressed to friends in affliction and are chiefly known by them. With a strong religious bias and inspiration, she has always been devoted to her church and the interests of the poor and distressed. Since her children have grown up so as to engross less of her attention, she has been a manager of the board of the Woman's Mission Home and of the Protestant Orphan Asylum at Nashville. A more devoted wife and mother and a more faithful dispenser of charity, all without ostentation, cannot be found.

By his marriage with Miss Church Dr. Dake had five children, all sons. One of these, J. P., Jr., known to his family and friends as Percy, died in his thirtieth year in 1886. He was born September 15, 1857, and educated chiefly at Nashville. He attended lectures at the Medical Department of the University of Tennessee, and graduated from the University of Michigan, taking his degree in 1879. He located at New Albany, Ind., but the failure of his health forced him to give up

his practice. Visits to Hot Springs and other health resorts in this country and to the saline and thermal springs at Wiesbaden failed to restore his health, and the inevitable followed.

The four surviving sons are all practitioners of medicine after the ideals which their father had set for them. The eldest son, named William Church for his maternal grandfather, was born in Pittsburg, January 28, 1852. His literary education was received at Ypsilanti, Mich., and at Nashville, where he completed the course in the High School. After studying medicine in his father's office he graduated in 1872 from the medical department of the University of Nashville. He also attended lectures at the New York Homeopathic Medical College, the College of Physicians and Surgeons of New York City, and the clinics at Bellevue Hospital. After 1872 he was connected with his father in practice, and since his father's death has taken his place as the head of the firm of J. P. Dake & Sons. His wife was Miss Adelaide Wiggin, daughter of Richard Wiggin, of Pittsburg, Pa., and later of Janesville, Wis. They have two children, Richard W., and Bessie C. The son has just graduated at the Medical Department of Vanderbilt University and entered upon the practice of his profession in Nashville.

The second son, Walter M., was born January 16, 1855, received his literary education at Nashville, and attended lectures at the Medical Department of the University of Tennessee, at the Pulte Medical College in Cincinnati and at the Hahnemann Medical College at Philadelphia, taking a diploma at the last named in 1877. Inheriting a strong literary tendency from his father, he hesitated some time before entering upon the pursuit of his profession of medicine, but finally began at Jackson, Tenn. He was building up a large practice when he was called to Nashville to assist in taking care of the rapidly growing practice of his father and elder brother. The two brothers now constitute the firm of J. P. Dake & Sons. He married Miss Fanny G. Ward, the eldest daughter of a wealthy Texas planter, at Jefferson, Texas, and has by her two children, Walter M., Jr., and a daughter, Woody.

The fourth son, Charles, was born July 13, 1860, receiving his literary education at Nashville and in the Southwestern Bap-

tist University at Jackson, Tenn. Attending lectures at the University of Tennessee, he graduated therefrom in 1881. He spent the summer of that year at Hot Springs in charge of the business of a practitioner who had gone to Europe. Locating then at Louisville, he was building up a practice there when his friend removed from Hot Springs and urgent calls from other friends caused him to return to that place in the autumn of 1883. The reward of his work there has been success of the most pronounced sort.

The youngest son, Frank B., was born at Salem, Ohio, September 10, 1864. He was educated at Nashville, and then took a business course with a view of entering active business, but finally concluded to follow the example of his brothers, attending lectures at the University of Tennessee. He graduated from the medical department of that university and is associated with his brother Charles in a large and remunerative practice at Hot Springs.

After his retirement from active practice one of Dr. Dake's pleasures was in responding to any call by which he could talk with or to young men. Several of the little printed announcements lay among his papers, among them one announcing a talk on "The Secret of True Strength," at the Young Men's Christian Association rooms, Sunday afternoon, May 8, 1890.

When the project of a Tennessee Centennial Exposition began in the later months of 1893 to be talked of in the active organizations of Nashville favoring such an exhibition, Dr. Dake was one of the very first to be actively enlisted in the campaign for holding it. In the Art Association and in the Historical Society he ardently advocated it, and by both these societies was placed on responsible committees charged with aiding the movement. He was a member of the General Committee from the Art Association. It will be remembered that the General Committee arranged the plans for calling the State Convention of June 19, 1894, to formulate definite plans for the exposition. At the meeting of the Art Association of March 3, 1894, Dr. Dake urged the need of greater activity by the Association in view of the approaching exposition, and May 23, at a meeting of the Tennessee Historical Society, he addressed them,

by their request, upon the proper observance of the centennial anniversary. He favored eight departments, including one of Fine Arts and History, and he advocated locating this building in a central part of the city, so that it might after the close of the exposition be made permanent and preserved as the Tennessee Academy of History and Fine Arts.

He also urged upon the latter society the golden opportunity this celebration offered for collecting documents relating to the early history of the State, by which its possessions could be vastly enriched and the materials gathered for the future historian. His plan was for the committee on History and Fine Arts to furnish paper of uniform size to those who would undertake to supply historical matter, and that the contributions be displayed at the exposition in bound volumes, and, thereafter be kept in the society's rooms. Future writers of history would seek these volumes with avidity. Such a collection would forcibly answer the questions of future generations as to what Tennessee had done in her first hundred years. Every event, association, society, school, denomination, county, should be written up as fully and as accurately as possible. He divided his plan into six parts, embracing the Indians and their territory, wars and treaties; pioneer settlements and when and by whom; organization of the State government; forming and naming of counties; different surveys of lands and fixing of lines; the judiciary of the State, beginning and development. Newspapers, schools, railroads, manufacturing establishments, etc., could be included and should be. As a result of his address a committee was appointed to carry out his plans, and he was made a member of the committee, being elected chairman by a unanimous vote. He spent the summer away from Nashville, traveling to the Northwest with Judge Howell E. Jackson and a party of friends in a private car. While at Manitou, Colo., August 25, he suffered another stroke of paralysis, but recovered and returned with the party to Nashville. Very shortly thereafter a four-page circular was issued containing full information as to the plans, and giving under eleven heads a list of forty-seven classes of topics to be covered. The circular was dated September 28, and one month later he was dead. The

project came to little, save that it stirred some of the papers of the State to the printing of historical matter prepared for them—a thing which they had hitherto been very chary about admitting to their columns, with a few rare exceptions.

After the convention of June 19, 1894, had formally launched the enterprise, proclaiming the inauguration of the exposition movement, a charter was taken out and one of the first board of directors was Dr. Dake, who was also elected chairman of the Executive Committee. At a meeting of the Executive Committee held September 6, 1894, the committee on site was appointed, and Dr. Dake was chairman. The afternoon of the day on which he was stricken he spent riding about the city and making personal examination of the sites offered for the exposition. But in all of this work he never lost sight of his proposition to acquire a permanent museum of Fine Arts, and went on quietly perfecting his plan. He secured an option on Polk Place and had had pledged by private subscription almost the amount necessary to complete the transaction when he was stricken down.

He was always for Nashville, and keenly alive to everything that promised good to her. An illustration of this was the fact that Dr. Dake was a member of the Chamber of Commerce, then the only commercial organization of the city, because he felt, and taught by his every action, that the duty of every man who can is to help the commercial organizations of the city in their work for the general good. As the *American* said the morning of his death: "No man in Nashville will be more missed." And after his death there were places that remained, and till to-day remain, unfilled; plans of work that have never yet been carried out. Had he lived, it would have made a vast difference, because failure had never been known to come to an enterprise in which he had engaged. His life was a record of successes achieved.

The funeral services were in charge of the Round Table, and never was a funeral more largely attended than on that dreary Monday afternoon, when the First Baptist Church was filled to overflowing. The active pallbearers were members of the Old Oak Club, and the entire membership of the Round Table, to-

gether with a committee from the Tennessee Historical Society, constituted the list of honorary pallbearers. During the services a strikingly beautiful and suggestive thing happened. The solo, "Lead, Kindly Light," by Mr. Frederic Farrar, was the first number of the sad programme. Then a Scripture reading by Rev. J. R. Winchester, the hymn, "Abide With Me," by the choir, and a prayer by Rev. Dr. D. C. Kelley, followed by the solo, "Some Sweet Day," by Mrs. G. P. Thruston, and Dr. J. M. Frost's funeral discourse. The day had been dark and gloomy, rain pouring while the funeral cortege entered the church. During the singing of the solo "Lead, Kindly Light," the rain ceased and the clouds were slowly clearing away. Mrs. Thruston rose to sing, and as the first sweet notes were heard, the sun burst suddenly from behind the clouds, and through the large transom over the west door of the church the sun thrust one broad beam of golden light that fell upon the coffin and the flowers about it; it touched nowhere else in all the church. It stayed until the song was done, reminding those who still sat in the shadow that their friend had only passed over into the eternal light. The incident was one of those striking coincidences that are never forgotten when once witnessed, and brought to every mind the promise, "It shall be light at the eventide." After the services the long funeral procession made its slow way to beautiful Mount Olivet.

The thought of this funeral recalls the fact that after the death of Dr. Dake the family found in the pocketbook which he carried a poem he had cut from the *Nashville Banner* of August 5, 1890, over four years before his death, and which, from the worn folds, he had evidently carried ever since. It was William Cullen Bryant's poem, "The Future Life."

The last letter written by Dr. Dake went twice across the ocean, through many lands, and twice half around the world, but is now in the possession of his family, a valued reminder of his last day of life with them. October 24, one day preceding his fatal stroke, he was in company with Rev. J. P. Farrelly, formerly of Nashville, but then and since the secretary of the American College in Rome. They had a delightful time together, being old friends and of congenial tastes, and that

night Father Farrelly left for Rome. While with him Dr. Dake recalled the fact that Lieutenant C. C. Rogers, of the United States Navy and of Nashville, had been commissioned to take charge of the Columbus relics which had been loaned to the World's Columbian Exposition, and had been assigned the duty of returning those relics to the Vatican and to Spain on board the United States steamship *Detroit*. He told Father Farrelly of this mission, saying that he would like to send a letter of introduction to him to Lieutenant Rogers. Father Farrelly expressed his pleasure, which was the greater because he had been instrumental in getting the articles from the Vatican when the exposition commissioner went to Rome. Indeed, but for his efforts so much could not have been secured. On the morning of October 25, Dr. Dake asked his son, Dr. W. C. Dake, to secure from Lieutenant Rogers' mother the address to which a letter should be sent, and during the day this was done. After supper on that day the letter of introduction was written and enclosed with one to Lieutenant Rogers to Newport, R. I., to be forwarded to the United States steamship *Detroit*. He addressed the letter in Dr. W. C. Dake's presence as he was leaving the office and mailed it on his way to the Tabernacle that night. It went to Newport, thence to London, and finally reached Lieutenant Rogers at Cadiz, Spain. By almost the same mail came another letter from the lieutenant's mother, in which she told him of the death of Dr. Dake. Arriving at Rome, Lieutenant Rogers presented the letter to Father Farrelly and found it of the greatest use. Owing to the strained relations existing between the Vatican and the Quirinal since the war between Italy and the Papal States in 1870, and owing to the fact that the United States ambassador in Rome was accredited to the Quirinal, while there was no representative at the Vatican, Father Farrelly acted as the sponsor, so to speak, for Lieutenant Rogers, and was in position to be most helpful. Lieutenant Rogers found, as do all who meet him, that Father Farrelly was "a man of remarkably broad culture, and ranks high among the learned men of Rome." In speaking of Dr. Dake, Lieutenant Rogers pronounced him "one of those men who are conspicuous for the good they diffuse

through their own high standards and noble examples." Father Farrelly himself wrote the bereaved widow a most beautiful tribute to the worth of her departed husband.

Subsequently Lieutenant Rogers wrote from Hong Kong, whither the *Detroit* went from Italy, and gave an account of the incidents connected with the presentation of the letter to Father Farrelly. The delicate situation of the officers representing the United States was realized by both the Quirinal and the Vatican, and the American College was for that reason designated as the neutral medium through which the delivery of the relics should be made. The attendant ceremonies are briefly described, as well as the many pleasant events that crowded the rapidly passing hours in the Eternal City. Christmas day, with its dinners and luncheons and receptions, the visit to the Papal residence in the Vatican, the Pope's cordial reception of the officers, his expressed love for America, and all the attendant ceremonies; court functions and the meager salaries of American representatives abroad as compared with those of the representatives of other nations; visits to all Rome's more notable places of beauty and historic interest—these are only some of the topics covered in this letter. Lieutenant Rogers writes, he says, as he would have written to Dr. Dake himself, had he been alive, to tell of the events connected with a visit in which he had shown such deep interest.

Though the enfeebled constitution and precarious health of Dr. Dake had been known to his intimate friends for some time, yet the announcement of his death caused a painful shock, and brought to them with great distinctness the delightful association of the past. The mind realizes more clearly the evanescence of the present state of being and the certainty of a future development when death comes to those bound to us by ties of sincere affection or respect. When death comes suddenly upon them this truth is the more forcibly brought home. Dr. Dake early in life had united with the Baptist Church, to which his wife also gave her adherence after marriage, and until his death he was a worker there as elsewhere, while Mrs. Dake gave a great portion of her time to works of charity and humanity.

From every quarter came expressions of sincere regret. From medical bodies at home and abroad, national, state and local; from his alma mater and colleges which had bestowed honorary degrees upon him; from scores of journals and magazines to which he had contributed; from personal friends in Europe and America, from art associations, literary organizations and historical societies, came resolutions of regret and evidences of sincere sorrow. Among others came resolutions of regret from the Homeopathic Medical Society of Mexico, of which he had been long an honorary member, and from the Western Academy of Homeopathy, of which he was also a member.

From all these notices it is hard to select, but all spoke words containing praise for the dead and inspiration for the living. A few sentences from a small number may indicate the universal tenor:

Faculty of Cleveland Homeopathic Medical College: "He had a loyal heart, a character unblemished, and with willing hands faithfully discharged all trusts in and out of the profession that were assigned to him."

Homeopathic News, November, 1894: "His life was a success—a continuous triumph. Directly and indirectly homeopathy is largely what it is in America through his efforts."

St. Louis Journal of Homeopathy, December, 1894: "His strong intellectual power, his broad, varied culture and long life gave him a range of usefulness and activity enjoyed by few favored ones in human experience."

Dr. Pemberton Dudley, elected General Secretary of the American Institute of Homeopathy in 1895, writes to Dr. W. C. Dake, thanking him for his congratulations on election, and saying: "Had your honored father been spared to us, I know that I should have had his warm support as well as his wise counsel. I had been accustomed to lean my whole weight upon him in times of doubt and self-distrust."

Among the State societies of which he was an honorary member, and which adopted resolutions of respect, were the Homeopathic Medical Societies of New York, Pennsylvania, and Ohio, as well as numerous others.

Dr. Lucius D. Morse, of Atlanta, Ga., a man who knew Dr. Dake well and who was a student under him in learning the profession of medicine, thus tersely summarized his characteristics for the biographical record of his alma mater:

Strong in his convictions, he was outspoken and fearless in their defense; public spirited, ardent in the discharge of all duties; sociable, winning in address, generous, cheerful, sympathetic, young of heart to the end; logical in mind, a patient and systematic investigator, tireless in his favorite pursuits; an intense and discriminating lover of literature and art, an enthusiastic traveler, a keen and witty observer of the world at large; modest and charitable in all things, an earnest and conscientious Christian. Possessed for many years a large and lucrative practice. As a writer, lecturer and physician, was eminently successful. Admired and respected by his students, beloved by his patients, esteemed and honored by the community.

How the death of Dr. Dake was viewed by that medical world to which he belonged, and of which he had been for more than forty years so large a part, can best be judged from the manner in which it was officially made known to and received by the American Institute. The president, Dr. C. E. Fisher, of Chicago, was delivering his general address and referred in touching words to those who had died during the year. As he reached that part of his address referring to Dr. Dake, according to a previous arrangement made, but unexpectedly to the members of the Institute, the lights were turned low and Dr. George B. Peck threw on a screen at the back of the speaker a life-size portrait that was instantly recognized by everyone present. Despite the solemnity of the occasion, there was an outburst of applause when the likeness appeared upon the canvas, though it was quickly hushed. The organist played a tremulo while Dr. Fisher delivered his tribute, and at its conclusion Dr. Fisher rested with his right elbow on the desk in front of him and the choir sang a couple of stanzas of "God be With You Till we Meet Again," while the portrait slowly faded away.

Those who knew Dr. Dake best were affected to tears. Much of the asperity that had existed in the Institute in recent years,

especially toward Dr. Fisher himself during the year then closing, was softened away by the occasion. Antagonisms which were sharp and unpleasant melted away, and not a few said that Dr. Fisher's tribute did more than anything else to soften the feeling which certain members were believed to cherish against the president. It was evident throughout this meeting that the address had touched a chord to which every heart had responsively thrilled, and as Dr. Peck expressed it in a letter to Dr. W. C. Dake shortly after, "that gentle, courteous spirit which ever characterized your father pervaded thereafter the entire session of the Institute. It afforded me unbounded satisfaction to contribute, though in a very indirect and humble way, to the honoring of his memory, the perpetuation of his influence. The incident will never be forgotten by anyone who was present."

The tribute paid by Dr. Fisher, thus representing the feeling of the entire Institute, was worthy of the occasion. When he had referred to all the others who had gone before, and while many were doubtless wondering with some sharpness of feeling why reference to Dr. Dake had not been made, he paused, and then began again as the portrait of Dr. Dake came out strongly on the canvas:

"And one other endeared remembrance whose life was of enduring beauty, so enrooted in the love of us one and all that I need not tell you of his incomparable service to the Institute he loved so well, need not recall the whole of his devotion to its every weal, of his sorrow for its woe. As you look upon the reflection of his kindly face I need not dwell upon the works of his life. They cluster unbidden about you. They pass in fair array before you without quickening word from me. From year to year since 1852 the name of him whom the Institute has delighted to honor has been set jewel-like in her crown. From meeting to meeting, through every meeting, from the moment the opening gavel was struck until its fall declared the session ended, he labored untiringly for that meeting's success. By him more than by any other man have the Institute's policies been molded, its course been shaped, its helm been guided. As early as 1857 he was honored with the presidency; in 1884 he was chosen American editor of the "Cyclopedia of Drug Pathogenesis," published jointly under the auspices of the

American Institute of Homeopathy and the British Homeopathic Medical Society, and for a number of years past he has been president of the Senate of Seniors. Examination of the volumes of this Association for twoscore years will show the presentation of more pages from his pen than from any other worker in the rank and file of the Association. His life is inseparably connected with our history. The imprint of him is so indelibly stamped upon our record that it can never be effaced. Of all his colleagues who gathered with him year by year to build this Institute to a mighty national association to stand for liberty in medicine and progress in science, not one encompassed in his nature the wisdom, the culture, the gentleness and the forcefulness that enriched this noble character. As an able defender of the cause of truth, he was ever for peace without and within. An earnest student of science in all her departments, he was a faithful exponent of a liberal homeopathy. Conservative in some things, he was true in all. Liberal in many things, he was just in all. I need not speak his name, though you knew him none too well. In the death of Dake a hero has fallen who is mourned of his family, his friends, of us, as one of those exemplars of manhood of whom be it said: "Take him for all in all, we shall not look upon his like again." As we recall his life with us, as we remember the kindly light that beamed from the windows of his soul, as we bespeak again his many acts of generous import, as we remember his gracious intellect in its beautiful setting of quiet demeanor, sturdy action and outspoken purpose, as we dwell withal upon his tenderness and loveableness and broad humanity—need we wonder that Nashville mourns her loss, his family and friends their sore bereavement, homeopathy its irreparable affliction?"

Concerning the effect of his address, which had not been anticipated by him, Dr. Fisher wrote afterwards:

"The eulogy and the affection that it carried with it won many friends for me. Some of the elder colleagues have misunderstood me. They have mistaken earnestness, enthusiasm and firm convictions for antagonism. They have believed me a dangerous man in the Institute. They have made it very unpleasant for me, and, to tell you the truth, I went to Newport with a heavy heart, many misgivings, and a half resolve not to go at all. This deserved though feeble tribute to the memory of my friend was to them a revelation and dispelled doubts and misgivings that were deep-rooted and firm."

At one of the night sessions of the Institute the formal memorial service was held, at which some friend and close acquaintance of each one of the deceased members read a memorial paper. The memorial on Dr. Dake was read by Dr. Bushrod W. James, of Philadelphia, who had traveled with him in 1881 after the adjournment of the World's Congress in London. The entire paper was eloquent with the tributes of friendship, and particularly referred to their travels together. In part Dr. James said:

"He was faithful and untiring in every undertaking, and as a traveler he was one to drink in and enjoy with the most soulful delight. I think in no other relation was he more truly admirable than as a traveling companion. I recall him now as wandering with me in the valleys and mountains of Russia, Denmark, Sweden, Norway and Great Britain; in the gardens and among the churches of the noble cities of London, Christiana, Stockholm, and St. Petersburg, and in the medieval towns of Europe; his glowing appreciation of every new scene, his love for nature in mountain, valley and river added new delight to the enjoyment already stirred in my own heart by their ever-changing beauty.

"In Copenhagen, Stockholm, Christiana, Abo, and other cities, we visited churches, castles and public institutions, my warm friend always discovering the rarest beauties in architecture and paintings, always pausing to drink in the very soul of the artist's ideas, whether in the one or the other.

"While visiting Norway, we made an excursion from Christiana to several spots of historic interest in the neighborhood, among them being Krongkleven—meaning a rocky cliff about 1,300 feet above the level of the city. After stopping to look at each change in the wonderful panorama on our way, we rode on and up to a spot called Kongen Udsigt, or King's View. There we sat upon a rock, hewn by nature into the semblance of a rude chair, and gazed in speechless delight at the glorious view which opened upon our vision. Away to the northwest we saw the Tyrifjord, its many islands resting like gems in the sparkling water; beautiful, quaint, little towns and hamlets, with arms of the Tyrifjord glinting here and there through verdant valleys, and forests of bright green trees waving in the gentle wind. In the west we saw in the distance Gausta and other snow-clad mountains, making strong, cool contrast with the lovely beauty of the country at their feet.

"Only one who has thus been comparatively alone with nature in her untrammelled beauty, with neither art nor science to improve or mar, can realize how closely one is drawn to an enthusiastic companion whose enjoyment, too full for mere words, finds expression in soulful breath and sparkling eyes. So Dr. Dake and I sat side by side, gazing in wondering silence at the exquisite loveliness of islands, water, valleys and mountains, and I doubt not he as well as I thought of how glorious the land must be that is more beautiful than this fair earth. And now he beholds that other country, that perfect land, while my heart swells with grief for the loss of my dear friend in whose companionship I took such pleasure.

"I can recall most clearly another scene in which we found food for many a thought. We took the steamer from Stockholm to Abo in Finland and then to St. Petersburg; and never will I forget that beautiful sail! It was about four o'clock in the afternoon when we started and the voyage extended into the next day. But we were near the Land of the Midnight Sun, and no darkness came to shut out the view as we sailed around and among a myriad of verdant islands. Some were but tiny knolls above the shimmering waters, others were merely rocky spaces for the most part, but many were larger and covered with bright green grass and shrubbery. As we steamed through that lovely highway in the Baltic, now from island to island, then for hours through the broad sweep of waters with no land in sight, and again within touch of emerald islands, before we reached Finland's rocky coast, the sun set and rose again, leaving the earth so small a space of time that even midnight was not dark, but clear and bright. The grand old orb seemed to make a long, graceful sweep from west to east, the light from his wake meeting the promise of the new morning in a soft twilight which touched water, sky and island with the most tenderly beautiful shadow, and then the morning burst forth, in rose and pink and gold, exquisite in its greeting to the smiling earth.

"We were companions then—brothers; heart answering heart in responsive joy at the splendor of the world and the majesty of that globe of light which glorified all things in its generous beauty.

"And he is gone! The friend who stood with me and watched the midnight sun scarce bid the world good-bye ere it returned in its tinted beauty to illuminate the lovely islands of the Aaland group in the upper Baltic Sea and the charming waterways and quaint old villages of Sweden and Finland. He is gone! And the loveliness of this world was faded in the

transcendant splendor of the deathless day. To him the solemn beauty of the north and the sprightly glowing beauty of the south are as nothing to the majestic view upon which his eyes have opened in that other country where no care shall ever disturb his rest and no pain shall dim his vision of the perpetual, fadeless loveliness of his eternal home."

The author of this beautiful tribute has since joined his companion of old, in the beautiful land beyond. Dr. James died January 6, 1903. During his life he had founded and supported the Children's Hospital of Philadelphia, and at his death left almost his entire estate to the support of a library to be known as the Bushrod Library.

For fifty years Dr. Dake was a ready and valued writer for the journals and magazines, as well as a writer of books and pamphlets, so that it would take many pages to make a list of his writings. In the following the attempt has been made to give a list of the books and pamphlets, without listing the articles contributed to the magazines. Of these latter many are of high value and deserving of remembrance, but a complete bibliography has yet to be prepared. Such a bibliography would contain not less than four hundred titles.

SOME OF DR. DAKE'S WRITINGS.

1851. "Medical Forces." A thesis published while in college. See *Medical Investigator*, February, 1875. This was also published in a city paper in Schenectady, N. Y. (Reprinted in pamphlet form.)

1852. "Homeopathy and Allopathy." Correspondence between Drs. Dake and King, in Pittsburg, Pa. 8vo, pp. 22. (Originally published in *Pittsburg Daily Gazette*, 1852. Republished in *Philadelphia Journal of Homeopathy*. Vol. II, pp. 295.)

1853. "Orthodoxy vs. Homeopathy." Published in *Putnam's Magazine*. Vol. II, pp. 639. (Reprinted in pamphlet form.)

1855. "The Sources of the Materia Medica." An introductory lecture to the class of the Homeopathic Medical College of Pennsylvania, delivered October 10, 1855. Philadelphia: Glessner, 1855. 8vo, pp. 18.

1857. Valedictory address delivered at the Ninth Annual Commencement of the Homeopathic Medical College of Pennsylvania, February 27, 1857. Philadelphia: King & Baird, 1857. 8vo, pp. 16.

1859. "Acute Diseases and Their Homeopathic Treatment; Also Directions for the Treatment of Injuries Received by Accidents and From Poisons." Pittsburg: J. G. Backofen & Son, 1859. 18mo, pp. 77.

1867. "The Origin and Character of Homeopathic Life Insurance in the United States." Cleveland, Ohio. 1867.

1870. "The Remedies We Use." An impartial view of the present state of materia medica, with suggestions for its improvement. Nashville, Tenn.: Fall & Sons. 1870. 8vo, pp. 20.

1871. "Acute Diseases and Their Homeopathic Treatment; Also Directions for the Treatment of Injuries Received by Accidents and From Poisons." Nashville, Tenn.: William Gamble & Co. 1871. 18mo, pp. 130. (This is an enlarged edition of the pocket manual of 1859.)

1873. "Credulity and Incredulity Affecting Progress and Certainty in Medicine." Reprint from the *United States Medical and Surgical Journal*, January, 1873. 8vo, pp. 14.

1874. "Special Report of a Plan for a More Thorough and Proper Proving of Remedies, and Notation of Symptoms." 8vo, pp. 11.

1875. "State Medicine and a Medical Inquisition." A discussion of legislative measures designed for the erection of an authoritative medical standard in Tennessee and in the several States, showing their injustice and futility. Nashville, Tenn.: Tavel, Eastman & Howell. 1875. 8vo, pp. 15.

1876. "Medical Legislation." Report of the Committee on Legislation to the American Institute of Homeopathy at its 28th session, held at Put-in-Bay, June 15, 16, 17, 18, 1875. Philadelphia: Sherman & Co. 1876. 8vo, pp. 14. (Reprint from the Transactions.)

1877. "Medicinal Forces as a Distinct Class in Nature." 8vo, pp. 9. (Reprinted from the Transactions of the American Institute.)

1878. "The Science of Therapeutics in Outline. A Systematic Arrangement of Principles Concerned in the Care of Human Health, Showing Their Several Departments." Nashville, Tenn.: Tavel, Eastman & Howell. 1878. 8vo, pp. 46.

1878. "The Yellow Fever and the American Public Health Association. What Shall We Expect From the Investigation?" Nashville, Tenn.: Mayfield, Patton & Truett. 1878. Pp. 8.

1880. "The Regeneration of Materia Medica." 8vo, pp. 8. Reprinted from the *British Journal of Homeopathy*, January, 1880.

1880. "Drug Attenuation, Its Objects, Modes, Means and Limits in Homeopathic Pharmacy and Posology." By the Bu-

reau of Materia Medica, Pharmacy and Provings in the American Institute of Homeopathy, 1879 and 1880, J. P. Dake, chairman. Philadelphia: Sherman & Co. 1880. 8vo, pp. 189. Reprint from the Transactions of the Institute, 1879-1881.

1881. "Materia Medica as a Science." A discussion at the World's Homeopathic Convention, under the auspices of the American Institute of Homeopathy. Philadelphia: Sherman & Co. 1881. 8vo, pp. 25.

1881. "Quarantine: When and by What Authority, and for What Purpose Maintained." Answers to the leading questions submitted by State Board of Health of Louisiana to the Quarantine Convention at New Orleans, December 8, 1880. Philadelphia: Sherman & Co. 1881. 8vo, pp. 6. Reprint from the *Hahnemannian Monthly*. Vol. XVI, pp. 144.

1881. "Fermentation as a Process in the Disinfection of Rooms After Small-pox." Philadelphia: Sherman & Co. 1881. 8vo, pp. 4. Reprint from *Hahnemannian Monthly*, Vol. XVI, pp. 34.

1881. "Medical Legislation. A Discussion of the Two Senate Bills Now Before the General Assembly at Tennessee." 8vo, pp. 7. Nashville, Tenn.: Tavel, Eastman & Howell. 1881.

1881. "Drug Attenuation; Its Influence Upon Drug Matter and Drug Power." Nashville, Tenn.: Haynes & Camp. 1881. 8vo, pp. 35. Reprint from Transactions of the International Homeopathic Convention, London, 1881.

1883. "Introductory to the Report of the Bureau of Materia Medica, with Synopsis of Papers Presented at the Thirty-sixth Annual Session of the American Institute of Homeopathy." 8vo, pp. 20. Pittsburg: Stevenson & Foster. 1883.

1883. "Susceptibility to Malaria; or, Personal Predisposition to Malarial Fevers." A paper read at Niagara Falls during the Thirty-sixth Annual Session of the American Institute of Homeopathy. Pittsburg: Stevenson & Foster. 1883. 8vo, pp. 9. Reprint from the Transactions.

1883. "Medical Legislation in the General Assembly of Tennessee, 1883." 8vo, pp. 7. Nashville, Tenn.: C. R. & H. H. Hatch. 1883.

1884. "Medical Legislation in the United States." 8vo, pp. 14. Reprint from the *Hahnemannian Monthly*. Vol. XIX, p. 65.

"Medical Legislation. No State Medicine, and no Sectarian Health Boards." Nashville. 8vo. No date.

"Cyclopedia of Drug Pathogenesis." A circular. No date.

1885. "A Cyclopedia of Drug Pathogenesis." Issued under the auspices of the British Homeopathic Society and the American Institute of Homeopathy. Edited by Richard Hughes and

J. P. Dake, with the aid of the following consultative committee: Great Britain—J. Drysdale, R. E. Dudgeon, A. C. Pope; United States—Conrad Wesselhoeft, E. A. Farrington, H. R. Arndt. London. 1885. 8vo. Dr. Dake was the American editor. Published first in paper parts. All parts but the first bear the imprint of Boericke & Tafel.

1886. "Therapeutic Methods. An Outline of Principles Observed in the Art of Healing." Boston and Providence: Otis Clapp & Son. 8vo, pp. 195. \$2.00.

1886. "A System of Medicine Based Upon the Laws of Homeopathy." Edited by H. R. Arndt, M.D. London. 1886. Three Vols., 8vo. Dr. Dake contributed articles on Asiatic Cholera, pp. 22, and other portions.

1887. "The State and the Medical Profession. A Discussion of the Principles That Should Govern Medical Legislation in the United States." Nashville, Tenn. 1887. 8vo, pp. 22. (This address was delivered before the Southern Homeopathic Medical Association, at New Orleans, La.)

1889. "Therapeutic Methods. An Outline of Principles Observed in the Art of Healing." Boston and Providence. Otis Clapp & Son. 1889. 8vo, pp. 195. College edition.

1891. "Medical Legislation by Law." To the Honorable, the Members of the General Assembly of Tennessee. (See also *Hahnemannian Monthly*, Vol. XXVI, April.)

1891. "Civil Government and the Healers of the Sick." An address delivered before the World's Congress of Homeopathic Physicians, at Atlantic City, N. J., June 18, 1891. An authorized reprint. Philadelphia: The *Hahnemannian Monthly*. 1891. 8vo, pp. 19. (Reprint from *Hahnemannian Monthly*, July, 1891.)

1892. "J. P. Dake, M.D., Nashville, Tenn." (An autobiography.) Reprinted from the *Hahnemannian Monthly* for June, 1892. 8vo, pp. 8.

1893. "The Future of Homeopathy." 8vo, pp. 12. Reprinted from the *Hahnemannian Monthly*, June, 1893.

1897. "Pharmacopeia of the American Institute of Homeopathy." Published for the Committee on Pharmacy of the American Institute of Homeopathy. Boston: Otis Clapp & Son, agents, No. 10 Clark Square. 1897. Dr. Dake was one of the editors and chairman of the committee in charge until his death.

"THE OLD ROAD,"

FROM WASHINGTON AND HAMILTON DISTRICTS TO THE CUMBER-
LAND SETTLEMENT.

W. E. M'ELWEE.

The Appalachian Mountains had formed the background and boundary line of the first settlers along the Atlantic Coast for more than one hundred and fifty years. It is true that a few hunters and trappers had been on the head waters of the Tennessee and explored the valleys, as far west as the Clinch and Powells rivers, but no pioneer had located west of the great Smokies till William Bean and others, in the year 1768 or 1769, built cabins on the Watauga, and the settlement of the State of Tennessee began.

After the North Carolina Regulators had been defeated at Alamance Creek by the loyalists, they fell back, taking final refuge in the Watauga settlement, on the western frontier. As the settlement grew in numbers it became the parent hive of adventurous hunters, who began to cross the mountains westward and hunt on the waters of the Cumberland. The settler soon followed, forming what was termed "The Cumberland Settlement." The first emigrants, following the hunters' trail, passed through Cumberland Gap and, crossing the Cumberland river, kept down on the north side to the vicinity of where Nashville now stands. The greatest obstruction to a rapid immigration was the want of a more open and direct road.

In the year 1787 the legislature of North Carolina provided for a lottery to be held at Hillsboro, the proceeds to be applied to cutting a way from the south end of Clinch Mountain (now in Hawkins County) to Beans "lick."

A company of men was organized in Washington district, as provided for in the Act, and with Peter Avery, a hunter well skilled in woodcraft, as a guide, a blazed "trace" was marked

out through the "Wilderness," as it was then called, between the two points designated.

This "trace" crossed Clinch river at or near the place since known as Lows Ferry, and entered the Cumberland Mountains through Emory Gap (where the town of Harriman is now located). On ascending the Crab Orchard Mountain, it passed over a large area of uncovered stone called the "Flat Rock," since famous for the battles fought in its vicinity. Near the western escarpment of the Wilderness the road markers passed a tall stone, set up like a monument, and gave the place the name of "Standing Stone." This place and name became historic, but a railroad engineer (who afterward committed suicide) changed the name to "Monterey," a name without historic meaning, but by which name it is now known.

The Cherokee Indians claimed the territory between the Clinch river and a certain line of treaty west of Standing Stone, and disputed the right of the white people to use this trace through their country, and it became one of the sources of a long and bloody war between the whites and the Indians.

When the whites began the use of the trace the Indians demanded a toll. Those who refused to pay took the risk of their lives in their own hands. The legislature of North Carolina, therefore, provided that the militia officers of the two districts should raise a company of fifty men each, and when notified that a sufficient number of emigrants had assembled at Clinch river, they were to be escorted across the mountains, or the "wilderness," as it was then called. It was ordered that "the trace be made ten feet wide, so as to allow wagons to pass." When completed, Colonel Robertson gave notice in the North Carolina papers. He further stated that on the 25th of September (1788) a company of soldiers had escorted the first body of emigrants from Clinch river to the Cumberland settlement, among whom were the family of General Davidson, the family of Judge John McNairy, and others, and that on the first day of October a guard would attend at the same place for the same purpose. Twenty-two families in all crossed that year. The protest of the Indians against the use of this road, unless upon the payment of toll, was ignored when emigrants were accompanied by troops.

Judge McNairy returned a few months afterward, accompanied by a number of men and some friendly Chickasaw Indians. At, or near, Standing Stone a party of Indians, under the chief Talotiskee, demanded toll, which was refused. After the party had passed, the Indians decided to follow and attack them. When the Judge and his party reached the Clinch river they went into camp on the west bank, not intending to swim their horses over till the next morning.

The Indians came up in the night, but waited till after daylight to make their attack. In the fight that followed, the Indians killed a man by the name of Stanley, and two of the friendly Chickasaws—one of whom was a chief, called Longhair, and the other his son. The remainder made their escape by swimming but lost their horses and all of their equipments.

Numerous encounters occurred on this road, and the danger to emigrants and cost of troops became so great that Governor Blount called a council of Indian chiefs to try to settle the matter. The meeting took place on the north bank of the Holston, where the city of Knoxville now stands. Governor Blount proposed to acknowledge the perfect title of the Indians to the territory from the west bank of the Clinch river to a line to be run from a point on Cumberland river, southwest, to the ridge that divides the waters of that river from the waters of the Tennessee river, and to pay the Indians an annual bounty of one thousand dollars in goods; the Indians to allow a free and unobstructed road from Washington district to the Mero district (Cumberland settlement) and the free navigation of the Tennessee river.

The majority of the chiefs signed the agreement. Those who refused to sign sent a deputation to Philadelphia to protest and lay the matter before President Washington. The conference began with the President December 28th (1791) and ended January 11th (1792).

Chief "Nenetooyah," or Bloody Fellow, was the speaker. He made an exhaustive "talk," laying all matters pertaining to the treaty of the Holston before the President in a most exhaustive manner. After the return of the delegation, General Washington informed Congress of the Indians' complaint and ad-

vised that they be paid an annuity of fifteen hundred, instead of one thousand dollars. To this Congress gave its assent, but too late to pacify the dissatisfied Indians. War had commenced before the Indians were informed of the action of the government. The Creeks had been induced to join the dissatisfied Cherokees.

In February there was a dance at the Lookout Towns at which the chiefs "Turtle at Home" and "The Glass" took some scalps of white men and tore them with their teeth in a most savage manner, which boded no good to the whites.

Trying to prevent the war spirit from spreading to other tribes, Governor Blount arranged a "talk" with the Choctaws and Chickasaws, and on the 15th of July set out from Knoxville for the Cumberland, escorted by Captain Baird's company of cavalry. In crossing through the Wilderness they found a horse grazing in the woods with two feather beds and a trunk tied on him. He had been lost two weeks before by a party crossing through, but because of danger from the Indians no effort had been made to recapture him. The horse was left at Dixon Springs, past which place the road ran.

The "talk" was held eight miles below Nashville. The Chickasaws and Choctaws gave pledges of friendship to the whites. There were a few of the headmen of the Creeks and Cherokees present, but they took no part in the proceedings. Governor Blount, however, made an earnest effort to get the Cherokees to accept the provisions of the treaty of the Holston, but without effect. They entered several protests regarding the use of the road through their territory.

First. Only a part of the chiefs signed the treaty and the whole tribe was not bound by the act of a few.

Second. The treaty provides that the United States Government should lay out the road; it had not done so: yet the whites were constantly crossing the territory in violation of all former usages and agreements.

Third. That they were using the road made by the State of North Carolina from the south end of Clinch Mountain and were also using another trail from Southwest Point.

They demanded that toll should be paid on all roads and trails

till the government laid out the road and confined travelers to its use. To this Governor Blount would not consent. The "talk" began on the 7th and ended on the 10th of August (1792).

The dissatisfied Indians called a council to meet at Wills Town. The Spaniards encouraged the Creeks to join them, and furnished guns and ammunition. At the council John Watts and his uncle, Talotiskee (who lived where the town of Rockwood now stands), the White Owl, the Glass and the Standing Turkey made speeches for war. Nenetooyah made two speeches for peace. War was declared and war parties immediately started out, some of them crossing the Tennessee river and waylaying the Cumberland road.

In the war which followed numerous battles were fought along this road, an account of which will be given hereafter.

A territorial legislature was convened at Knoxville in September, 1794, and, among other acts, passed an act, on the 7th of the month, for "cutting and clearing a wagon road from Southwest Point to the settlements on Cumberland river in Mero district." The act appointed Colonel James White, Colonel James Winchester, Colonel Stockley Donelson, Colonel William Cocke, Colonel Robert Hays and Captain David Campbell commissioners for the purpose, with authority to proceed in the execution of their trust "as soon as a sufficient fund shall be raised for that purpose."

In order to provide a fund, a lottery was authorized to be drawn at Knoxville by the commissioners. They were to issue three thousand one hundred tickets, three thousand to be sold at five dollars each, and one hundred were to be held by the commissioners and placed in the drawing in the name of the territory; and any prize drawn by any of these tickets would go to the territory for the use of the commissioners in the construction of the road. Besides this, the territory was to retain one-tenth of all prizes drawn. The lottery proved a failure and the work of the commissioners was not commenced. General Robertson, however, relying on the success of the lottery, did considerable work in the Mero district, for which he did not receive pay for several years afterward. At the next session of the legislature an act was passed, July 10th, 1795, appropri-

ating moneys arising from the sale of certain salt-licks, heretofore reserved from entry, to defraying the expenses of "cutting and clearing a wagon road from Southwest Point to Bledsoe's Lick, in the Mero district.

This road did not comply with the letter of the treaty of the Holston, in that it did not begin in Washington, but in Hamilton district, and was to be laid out by commissioners of the territory, and not by the United States. The Indians, therefore, continued to resist the passage of emigrants over it, unless by the payment of toll.

In order to comply literally with the treaty, the legislature on the 26th of October, 1799, passed an "Act respecting the road, as stipulated by The Treaty of The Holston," and set out that:

"Whereas, By the Treaty of Holston, made and entered into on the 2nd day of July, 1791, between the United States and the Cherokees, by the 5th article of which it is stipulated and agreed, that the citizens and the inhabitants of the United States shall have the free and unmolested use of a road from Washington district to Mero district, whereby a power became vested in the United States to mark out and open up a road for the use and benefit of their citizens through the lands claimed by the Cherokees, the levellest and most direct way, having regard to the most convenient passage of mountains and fords and rivers, and,

"Whereas, The road in the present use through the Cherokee country was not opened or marked by the United States, and,

"Whereas, The said road is not the most direct, nor the most level and free, and unmolested to the citizens of the United States, inasmuch as one of the contracting parties, the Cherokees, exact and receive to their use a toll upon all travelers crossing the Clinch river, which forms a part of said road, in violation of the stipulation of said article:

"Now to the end that the violation and non-execution of the said article may be made known and the execution thereof enforced; be it,

"Resolved, etc., That the Governor lay the matter before the President of the United States and request him to have marked out, a road, and as soon as it is done. that William Walton and

William Martin, of Smith County; and Robert Koyle, of Hawkins County, be authorized to have the same cleared out at the expense of the State."

At the same session the legislature provided money to do the work. The United States then authorized the same commissioners to act for the United States in laying out the road.

The road began at the fort near Southwest Point, at the big spring, since known as the Clark spring, where a ferry had been established by Norris Clark. The road passed through the valley of Post Oak Springs and ascended the mountain at what has since been known as Kimbroughs Gap. Near the present town of Crossville it intersected with the old North Carolina road, which it practically followed to a fork, where one road led to Fort Blount and the other to Cumberland river. Walton took the road leading to the river, where he established a ferry, known as "Walton's ferry." The road then kept on the north side of the Cumberland to near Nashville, where he established another ferry.

Peace had now been established with the Indians and danger on this road no longer lurked in every cleft of rock and laurel thicket. Because of the part acted by Captain Walton, the road was called the Walton road, which distinguished it from the old North Carolina road, sometimes called the "Avery trace." A heavy emigrant travel began over the road and a bi-monthly mail was established. "Stands," afterward called "taverns," were soon located at convenient distances for the traveler. The first one was at Hugh Dunlap's, where the town of Rockwood is now located. Across the Wilderness they were located as follows: David Haleys, at Piney Creek; John Burk, near Crab Orchard; Mr. Graham, at Obeyes river; Johnson's Stand, Standing Stone, and Cookeville.

The Treaty of Holston having been literally complied with and peace having been established with the Indians, the legislature, at the October session, 1801, passed an act creating the Walton road into a turnpike. The incorporators were required to measure and milepost the road, dig and level the sides of hills and mountains, over which the said road may pass to the width of twelve feet, and bridges and causeways were to be

twelve feet, but on all other ground it was to be cut fifteen feet, the work to be completed on or before the 5th day of September, 1802.

The act established the rate of tolls, but provided that no toll be collected of any Indian whatever, this being a reserved right to the Indians in their conveyance to the whites.

This road soon became known as "The Great Stage Road," over which for many years an almost continuous stream of travel rolled to people "The Great West."

It is a rather remarkable fact that modern science has located the Tennessee Central Railroad practically on the same line selected by the old hunter, Peter Avery, through the Wilderness and Indian territory, while guarded by soldiers, in 1787.

RECONSTRUCTION TIMES IN SUMNER COUNTY.

BY GEORGE B. GUILD.

I am glad to see that some record is being made of the state of things that existed throughout the Southern States for some years after the Civil War—in other words, of the Reconstruction Period in the Seceded States.

Nelson Page in "Red Rock," and Doctor Dixon in the "Leopard's Spots" have truly and graphically told the story of what existed and was enacted in certain portions of Virginia and North Carolina. Every town and hamlet in the Southern States has experienced similar scenes. It seems incredible to the generation that has grown up since the war—they can't imagine how such things could have existed in a civilized country. But we know whereof we speak when we say "the one-half will never be told." Both Page and Dixon have doubtless embellished their story in some respects, but in substance and fact it is true.

When the Southern soldier returned to his home after the surrender in 1865—in many instances the charred and burned remains of what was once his home—stock gone, fences burned up, the whole country an open waste, farming implements destroyed; a helpless family without food and no means to obtain it, and, worst of all, the country occupied by a vagabond militia, as was the case in Tennessee, whose high occupation was still to plunder and destroy and to drive away the owners, thus blotting out every obstacle to their free occupation of the soil, for everything else had been destroyed or appropriated by them. A darker picture was never spread before human vision. Could it have been anticipated, there would have been no Appomattox, as war and death itself were more preferable. Yet, wonderful to state, the remnant of Southern citizenship lived through it all.

For three years this state of things existed, and in some of the States for a longer period. The ex-Confederate soldier or a Southern sympathizer was not permitted to vote, sit upon a

jury—much less to hold office. A man may have been known to be a consistent Union man and to have done nothing in aid of the rebellion; still, if he did not fully sympathize with and co-operate fully in all of the nefarious schemes of the radical black Republican party he was numbered with the rebels and suffered accordingly. Extermination was the battle cry. We read with horror of crimes committed in the dark ages, but have been convinced that there is no limit to the demoralization a state of civil war can produce, even in the light of advanced civilization.

The Freedmen's Bureau was the principal judicature in the land. These courts were presided over in most instances by some camp follower of the meanest character, and seems to have been selected for his known meanness and hatred of the Southern people. His principal associates and advisers were the meanest negroes in the neighborhood, and their testimony was sufficient to rebut any evidence that could be produced; and the militia stood ready to execute any judgment his Honor would make. Almost daily white men, women and children were arrested, torn from their homes and brought by guard before the presiding officer of this august tribunal to answer some information filed by negroes, and frequently to face as witnesses his former slaves. In every instance, I might say, the result was a judgment for money or other penalty imposed, and not infrequently ending by sending the accused to a loathsome and vermin-infested jail to await the "law's delay." If all the meanness enacted by the Freedmen's Bureau and Brownlow's militia in Sumner County could be reduced to writing, it would form a library more extensive than Mr. Carnegie has ever conceived. The militia companies were made up chiefly of negroes and were officered by white men—the off-scouring of the Northern States, who had really done no service in the field, but their chief recommendation being a well-established disposition to commit crime and never to grow weary of their occupation. After this manner the black Republican radical party subordinated to their vile purposes courts and juries and legislatures and held in hand the power to enforce their orders through the military arm of their service.

What was an unarmed and helpless community to do in the face of such a state of things? Self-preservation is said to be the first law of nature. But how, and in what manner could this be brought about? Open rebellion would have been certain extermination. Quietly to submit was a slower, but as sure, destruction. In such a dilemma the Ku Klux Klan was inaugurated and set on foot, its sole object being to protect and preserve the lives and property of the unoffending citizen by mild and harmless means if possible; if not, by drastic means if necessary. The lives and sacred honor of its members were pledged to this. The negro is a pliant tool in the hands of bad men—"forty acres and a mule" had alienated him from former friends and he was quick to subserve the wishes of these pretended friends. But the Southern citizen knew too well his character and disposition and the exact remedy to apply to his case. His known superstition must be appealed to. Raw Head and Bloody Bones, Skulls and Graveyards, white sheets and grave clothes, orders made and announced in sepulchral tone of voice—these were known to be preventives where all else would fail, and most effectively it was resorted to. The offending negro would first get a written notice from the Grand Cyclops of the order, notifying him in unmistakable words of his offense and informing him of the penalty if he did not desist. The written notice was surmounted by the mystic insignia of the order—Cross Bones and Skull. In some mysterious way this notice would fall into his possession, and if he could not read himself he was not slow to find someone who could. If this did not have the desired effect (which it generally did), he was paid a midnight visit by a uniformed company of the order at his home; riders and horses disguised beyond recognition, with hoods, sheets and other graveyard paraphernalia. At this meeting he was informed again and more impressively of what he might expect from another visitation, and after the performance of some of their mystic rites they silently and in due order moved away, suddenly disappearing from the face of the earth.

The legislature of the State had passed laws making it a death penalty against the members of the order, and, of course, it was a desperate undertaking, requiring the most profound

secrecy. Rarely was it the case that a third visitation was necessary, but some did occur, ending in whipping the individual, burning his house, and occasionally in killing the party. When resort had to be made to such measures as taking the life, the body was hung up in a conspicuous place with a placard attached, stating the offense and giving due warning to all who did likewise.

This is a general outline of the object and operation of the Ku Klux order. It was intended for good and the protection of the unoffending citizen; and that it did have this effect there can be no doubt. It was the last and only remedy. Some of the best citizens of the State were members of the order. Their leaders and captains were selected from among our most conservative, influential and leading citizens. There was a branch of the order in every county composing Middle and West Tennessee. The powers in existence soon recognized the effect of such an organization. It was destructive of the means they were using to annihilate and destroy what was left of a brave and helpless people. Hence, the most radical measures were enacted for the punishing of its members—they were to be hung, shot down without the benefit of judge or jury; still it went on having its good results. Experienced detectives from other States were sent for to ferret out offenders. In several instances this ended by the detective being found in the river, with a rock tied around the neck—with no clue to the mystery. The Ku Klux had their day and accomplished their object. After it had existed so long a time, some bad men and indiscreet boys got into the order and committed excesses in their unauthorized raids. This caused the withdrawal of the better element and in a little while the order ceased to exist.

Unintentionally, the foregoing will have to be taken as a prelude to what follows, and what we started out to tell about.

An election had been ordered in the State for Representatives to the State Legislature. A law had been passed by some previous and self-constituted legislature that none but loyal men or known Union men should vote. This act disfranchised nineteen-twentieths of the white population. The negro *per se* was a qualified voter. The election machinery was in the hands

of the governor and his chosen pals at Nashville, the capital. A registration of voters was to be made previous to the election and the governor sent out his chosen lieutenants to do this work in the different counties, with full instructions as to how the work was to be done—his interpretation of the law being that none were loyal who did not endorse and support all the disfranchising and confiscating measures that had been adopted and were in contemplation.

Sumner County was one of the first and strongest secession counties in the State. The entire male population went into the Confederate Army, leaving none at home but boys under fifteen years of age and decrepit old men. Its geographical position, being a border county and cut off from the South by Cumberland river, made it an enviable locality for carpet-baggers and refugee negroes. It was occupied by Federal troops soon after they came to Nashville in 1862, and was securely held during the entire war, except from an occasional raid by John Morgan and his gallant troopers. One McKinley—by the way, no kin to our late President—a carpet-bagger of the vilest type, had been representing the county in the legislature and was a leader in all the measures that had been enacted. He was a candidate for re-election. The conservative Union men had a candidate in a well-known Union man to the manor born. He was opposed to the radical rule of the Brownlow regime, and of course he secured the endorsement and support of the better element of the county. The constituted authorities at Nashville sent to Gallatin, the county seat of Sumner County, a cadaverous-looking individual to register the "loyal" votes of the county. He was an entire stranger to the people, but his looks alone indicated that he was a good selection for the dirty work he was sent to do. This was a few weeks before the election.

He opened his shop on Main street in the town, and set his machine to work, enrolling only such as he was assured would vote for McKinley and endorsed all the radical measures that had been passed by the legislature and that were contemplated by the gang; refusing to enroll the conservative black and white, though they were qualified voters under the strictest

interpretation of their own laws, for the reason alone that they would not vote their way. This action of the registrar was soon known to the Klan. Silently and secretly a meeting was called and measures taken to meet the situation. About the third day of his sittings, and when he had concluded that he had registered the requisite number of the "truly loyal" to meet his purposes, he closed the doors of his shop, shut his books and prepared to take his leave for headquarters at Nashville that evening, dreaming doubtless of the joyous welcome that awaited him there. The railroad train passed Gallatin for Nashville about half past seven in the evening. When the registrar took his seat in the coach in a self-satisfied way, it could be observed two other passengers followed him closely and took seats immediately behind him. There was nothing unusual in their appearance or demeanor, and seemed to be the ordinary citizens of the neighborhood. To keep a watchful eye upon their man and shut off outside communication, one of the strangers engaged him in a general conversation. As they neared the next station, which was old Sandersville, and seven miles from Gallatin, the second stranger proposed a question for the first time, asking him if he was not the man who had been registering voters at Gallatin. While this question was somewhat "wakening," he replied that he was. "Then," said the stranger, "we have been deputed to take you back to Gallatin, as you have failed to register the loyal vote of the county"—intentionally, he presumed, failed to register some who were entitled under the law. He assured the strangers that he had done his full duty in the premises and said further that to satisfy the public he would come back to Gallatin tomorrow to investigate the cases and to enroll such as were qualified; that it was absolutely necessary for him to be in Nashville to-night on important business. In response to this, he was told that their orders were peremptory to take him back to Gallatin and that they were going to perform their duty; no excuse could be accepted. The positive way in which this announcement was made was still more "wakening" in its effect, and the registrar commenced to plead; and as visions of the Ku Klux flitted across his imagination his pleas became prayers,

piteously growing whiter and paler in appearance. He was told not to become alarmed, and assured that not a hair of his head should be touched, as all they asked and intended to exact was that he should return to Gallatin with them and perform the legal duties of his office. The engine having blown for Sandersville Station, he was taken by the arm and escorted to the entrance by the strangers. When the train stopped, he was led down the steps. A spring wagon was waiting near by and in sight, in charge of two other strangers, to which point the registrar was conducted, given a seat in the wagon and rapidly driven up the pike towards Gallatin, escorted by the four strangers. He was taken to a private room in the town, contiguous to his office, and securely guarded, as the success of the bold undertaking depended upon its secrecy and preventing of all outside communication. Comfortable lodgings were provided and at an early hour a good breakfast was furnished, after which he was taken to his office, books opened and doors thrown open for business. All day long the office was crowded, dealing out certificates to the "loyal"—notice of which must have been mysteriously given to them the day before. The sharp eyes of the faithful men were present, looking over the list of voters and taking note of what was necessary to be done. At a late hour that evening they became satisfied that everything was to their liking, and that, too, without enrolling a single voter who was not qualified under the law. The registrar was informed that he could close his books and return to Nashville. That evening he was escorted to the train by a back way, quietly put aboard without communicating with anyone, and left for Nashville. Everything was done in such order and secrecy that not a riddle was made upon the surface. As mysteriously as the chief actors had come upon the scene they disappeared, believing that the next news they were to hear would be orders from headquarters for their arrest. Satisfactorily to them, no orders came the next day nor the following, but a few days before the election was to be held they were informed that the white carpetbagger captain of the negro militia company, had been instructed to have his company at the polls and see that none but "the loyal" should vote. This unmistakably

meant that their action had become known and the forced registration was to be expunged and not counted. A call was at once issued for a meeting of the Klan to devise means to meet the emergency. The sage advice of the coolest heads was sought and obtained. The mayor of the town of Gallatin was William Wright, an old citizen to the manor born. He was a well-known and pronounced Union man during the whole war. He was a man of courage, determination and nerve. The outrageous acting and ruling of the carpetbag government had been too much for him, and he was willing to side with his fellow citizens of the county when it became a matter of life and death, involving the liberties and property rights of the people. A committee of leading members of the order was appointed to wait upon the mayor and see to what extent his power and authority could be enlisted in the behalf of right and justice. The result was that the mayor issued his proclamation, informing the captain of the company that under the laws of the State his company would not be permitted to come to the polls armed and in a body; and that if they did so he would see that they should be ejected. This brought no official response in writing from the captain, but it was fully known that he had said that he would obey his instructions to the letter and at any cost of life. This but served to further enrage the mayor and he at once appointed Colonel J. J. Turner chief of police, with a *carte blanche* to appoint as many deputies as he wanted. This was good news to the boys, for they had been longing for the opportunity this offered to wipe from the face of the earth the Brownlow militia. Word was sent far and near of the anticipated fight, and all night before the election the next day they were coming in singly and in squads armed with shot guns, rifles, pistols, with a sprinkle of army guns that they had managed to get hold of. Under the supervision of the chief of police, they were organized into companies and squads with trusted officers in command, and assigned to different localities in the town; in the upper stories of the houses on the square and along the streets it was supposed the militia would move on their route to the polls, were placed men, all well armed. Full instructions were given and no one was to shoot or inaugurate

the battle till word was given by the chief. All were to act with discretion and to be as far as possible on the defensive. About two hundred men were under the immediate charge of the chief on the street. Spies and videttes were sent out in every direction to watch and report the movements of the enemy. Everything looked ominous and a trembling suspense seemed to be in the very air that was breathed.

This was the feverish condition of things in the town till about midday; and at any time from 9 o'clock in the morning till 4 o'clock in the evening if a gun had accidentally been discharged or a door slammed right hard, it would have been taken as the signal to commence an indiscriminate slaughter. During the morning messages had been received from members of the order at Nashville, Murfreesboro, Franklin, and other places, probably, stating that they were ready to come to their assistance upon notification. No response was made to this, as all felt that they were masters of the situation. About the hour above named, the sound of the drum was heard from the fort where the militia was stationed. This fort was situated just across from the railroad station on the first high ground. They were seen to form line and move out with their guns gleaming in the sunlight. They soon wheeled to the right and marched to the south, intending to reach the Square of the town from its southern approach. Every step and movement was closely watched and dispositions made to meet it. They marched slowly and cautiously, stopping at intervals to note the situation, and were an hour marching, when they reached and were slowly moving up the back street that runs parallel to Main street and were about two hundred yards from South Water street, that leads up to the Public Square. At this juncture of affairs, Colonel Turner, chief of police, moved his men rapidly down and covered the mouth of the street where it enters Water street, the men presenting their guns in position to fire as they did so. The militia were moving in columns of fours. This sudden development in the situation seemed to paralyze them and brought them to a staggering halt. The captain threw up his hands as if to surrender, and the big, burly negro sergeant was heard to cry out, "Don't shoot," as they scatteringly

rushed into the old brick livery stable that stood upon the south side of the street. Some of the men rushed forward to follow them, but Colonel Turner threw himself in front and with great difficulty induced them to return to the line. Soon a parley was asked for by the captain by means of a white flag. The mayor was consulted as to the terms of the capitulation, and it was finally agreed that the company should be marched back to their quarters by the route they had come, and the militia company permitted to come to the polls two at a time and without their arms, and as they voted by twos they were to retire to their quarters; none were permitted to linger about the polls.

So far the battle had been fought and won, but the fearful excitement still lingered and the point was to restrain the men, for they loathed the idea of a failure to execute their fixed purpose to kill every Republican radical about the town, leaving none to tell the tale. All of that evening and up to 4 o'clock, when the polls closed, this tremulous fever raged; and it was with great efforts that individual attacks could be prevented. Affairs stood *in statu quo* till the poll was counted and it was seen that McKinley was defeated—a satisfactory, conservative triumph all along the line. When this was done the detail was thanked by the chief of police for their efficient work and called upon to disperse and repair to their respective homes. Soldiers who had passed through the great battles of the Civil War will tell you that their experience at Gallatin that day was more exciting and threatening than anything they have ever encountered. All who witnessed this are impressed to this day with the cool and conspicuous bravery of Colonel Turner; under such a state of excitement nothing save his wise discretion, judgment and coolness could have prevented a massacre in which many of our best citizens would have lost their lives. He had been the brave colonel of the Thirtieth Tennessee Regiment of Infantry during the entire war; had led them in all the great battles in which the Army of Tennessee had fought; had been desperately wounded, but in none of them did he bear himself with more conspicuous coolness and bravery than he did at the *bloodless* battle of Gallatin a year after the surrender of the Confederate Army. He is dead now, but it can be truthfully

said of him that he possessed all the requisites necessary to command men under the most trying circumstances.

The next day an alarming state of quietude "reigned in Warsaw." It was expected that arrests would follow and the direst punishment meted out at once. But nothing was learned until Brownlow's Returning Board at Nashville had blotted out the conservative vote at Gallatin and declared the carpetbagger McKinley the legally elected representative in the legislature.

Thus was love's labor lost at last. It was apparent, however, that the radicals were weakening in their aggressive meanness. This was encouraging and active warfare continued to be raged in one shape and another. After some considerable time Brownlow's bogus legislature elected him to the United States Senate. This was acceptable news to the body of the people and nothing could have given more satisfaction, except the announcement of his assassination. DeWitt C. Senter, from East Tennessee, being speaker of the State Senate, was by virtue of his office the successor of Brownlow as governor. To use a common phrase, he had been a consistent Union man throughout the war and up to that time. He had no personal grievances to settle individually or generally, like Brownlow, nor did he have Brownlow's boldness or excessive and unremitting propensity to persecute and destroy. Soon after he took his seat he was seized with the desire to succeed himself as governor of the State. The people were not slow to see the opportunity presented, and at once seized upon it. General Bill Stokes, who was a graduated disciple of the Brownlow school of politics and altogether fully equipped to wear successfully his robes of office, was the logical successor of Brownlow. Stokes had been a colonel of cavalry in the Federal Army and his troops had won a lasting reputation, not in legitimate warfare, but in their propensity to loot and destroy property of unoffending citizens. He was a man of fair ability and more than ordinary stumper. Senter could not defeat him with the rank and file as it was then constituted. More voters were a necessary ingredient to his success. Hence he was willing enough to extend the franchise. Before the election came off this was done indiscriminately by the machine, then under control of the governor.

The "vilest" rebel was given the franchise. Really, I thought the world was coming to an end, when upon entering my office I found upon my table a sealed envelop containing a certificate that I was a loyal citizen and entitled to vote. I had asked for none, and was afraid for a time that it was some device to entrap me, but I soon found that it was the way and that numbers of my "cut and bib" had received the same honorable recognition. The result was a triumphant election of Senter as governor, and, holding in hand the necessary machinery, it was made to stick.

After this manner reconstruction days were ended in the State of Tennessee. This was soon followed by the carpet-bagger hastily folding his tent and moving away, if not to a more congenial clime, to one that gave immunity for the crimes and felonies he had committed against a helpless people. Politics rocked along satisfactorily enough through Senter's gubernatorial term. Daytime had unmistakably begun to break—though it took some time to rid the State of its objectionable and corrupt office-holders, in many instances from the highest to the lowest of these, as well as the many bad laws that had been enacted and were to be repealed. A constitutional convention was called and our best and ablest men were elected to it. The constitution of 1870 was formed, and in due time ratified by the people of the State.

It is said that we owe a debt of gratitude to Governor Senter and the conservative Union voter, who came to our assistance in the darkest hours of our need. Probably we do, but I am inclined to think that there was a little of self-interest in the action. The handwriting had been made upon the wall—a brave people had determined to be free.

It is but proper to mention here that some of the Northern people whom the war brought South remained; many of them are numbered to-day among our best citizens.

The history of Sumner County, and I might add of the entire South, can never be complete till the tale is told of its reconstruction period. Material abounds everywhere and needs but the pen of a Page or a Dixon to create "Red Rocks" and "Leopard Spots" in every community.

I will close this brief and imperfect paper by repeating a pathetic story that was told some time after the war:

About the beginning of the war there lived some six miles north of Gallatin a young farmer, who was a substantial, intelligent and industrious citizen. By his energy he had accumulated means to buy a small, hilly farm and erected upon it a plain but neat cottage, where he and his young wife lived. He had no farm help but a younger brother. In the fall of 1861 he and his brother enlisted in the Confederate Army. His aged father and mother came to live with the wife, and in a short time the Tennessee regiment to which they were attached was ordered to the Army of Northern Virginia. The younger brother was killed the day General Bob Hatton fell at Seven Pines, near Richmond, in 1862. The old mother died in a short time after hearing of the death of her baby boy, as she affectionately called him. In 1863 the older brother was desperately wounded at Gettysburg in the charge of Archer's Brigade on Cemetery Hill and taken a prisoner by the enemy. He was reported killed in action by his comrades, and as such reported on the rolls of his company during the balance of the war. In fact, his leg had been shattered by a cannon ball and hastily amputated above the knee and he was sent to Rock Island prison. The shock from the wound, exposure and want of attention impaired his health, making him a patient of the prison hospital during the war. His wife, on learning of his death, sickened and died of a broken heart, it is said. The old father, having been left alone, went off to Kentucky to live with a married daughter. Marauding parties burned and destroyed the fences around the little farm and the house was ruined and broken down, with nothing to remind one of the happy home it once had been. The soldier was not discharged from Rock Island hospital until some three months after the surrender of the Confederate Armies, when he was paroled and permitted to return to his home. Upon reaching the Gallatin depot in the first days of September, 1865, good-hearted Tom Day furnished him a horse to go out home. We will not attempt to depict his feelings on seeing the devastation that was spread before him upon reaching home. He sought the house of a neighbor, where he

was told in sympathetic words the *sad, sad* story. He had not been able to write himself during his year or more as a prisoner, and confiding it to others they had failed either wilfully or negligently to do so. He listened in a dazed state of mind to the information imparted to him by his friend, but spoke not a word, remaining silent during the evening. As the lengthening shadows of the setting sun grew longer, he arose, saying that he would go down home again. He was asked to wait till morning and take a good night's rest, to which he gave no heed, hobbling off on his crutches in that direction. He did not return that night, and in the morning at the breakfast table the neighbor announced that he would go down and see if he could hear anything of his friend. On approaching the house, he found the door slightly ajar. Pushing it open, to his horror he beheld the soldier stretched upon the bare floor—dead. He, too, had died of a broken heart. The next day he was buried by a few sorrowing friends and laid to rest by the side of his wife at the Old Salem Camp Ground, where his rude forefathers slept.

The wrecks created along its pathway by a state of war are indeterminable. The destruction of property, public and private, is its natural consequence. Nor does its blighting effect end upon the battle field, but drags into its maelstrom of death the innocent, the helpless, the unprotected. Truly can it be said that war makes countless thousands mourn.

These two young men were a type of the soldiery of which the Confederate armies were composed. They had no particular property rights to fight for; they owned no slaves. Especially they were not personally interested in the slavery question. The doctrine of State rights had been the policy of the government since its existence. The constitution and the laws made thereunder recognized it. The Supreme Court of the United States in numerous decisions had sustained them. These were to be set at naught by force of arms—their country invaded and their people to be subjugated. To prevent this they risked their lives and their all. Rebels they were in the sense that their forefathers had been, but patriots in the cause of freedom and in their efforts to preserve the inalienable rights of the citizen.

AN OLD LETTER OF THE LATE CASSIUS M. CLAY.

BY DUANE MOWRY, OF MILWAUKEE, WIS.

It has occurred to the writer that the following bit of ancient history may have an interest for some of the readers of the *AMERICAN HISTORICAL MAGAZINE*. The letter is evidently written by Mr. Clay on an ordinary sheet of note paper, and the chirography indicates that there was little method or system to his penmanship. The letters and words are greatly cramped. The composition, however, would be generally voted as excellent. The letter was discovered among the private writings and papers of the late ex-Senator James R. Doolittle, of Wisconsin. At the date of the writing of the letter Judge Doolittle was a United States Senator, and at the same time Mr. Clay represented this government at St. Petersburg as its Minister. In view of Mr. Clay's misfortunes during his later life, there is a pathetic as well as an historical interest which is closely related to the letter. It follows:

St. Petersburg, Ra., Oct. 17, 1861.

My Dear Mr. Doolittle:

Your favor of the last "August," inclosing Mr. Griffith's letter suggesting a railroad, &c., to the Pacific, is duly received. The Emperor has had all sorts of schemes for railroads for years under consideration: and the one to the Pacific has been often mentioned, especially by Mr. Collins, our American traveler. Of course, it would now be out of place to present Mr. G's letter.

I am glad to see your gallant state taking so active and honorable part in the War, and in defence of that Union which has built her up to greatness, as it were, "in a night."

We are all here for Fremont's position in his proclamation: and trust Congress will enable "honest old Abe" to take that step this winter. It is surely the true ground. Ky. stands where I have so long labored to place her—where her true interests and honor could have a fair ventilation—her choice of ends was, of course, in the direction of Liberty and Justice and Union.

My dear sir, I am subjected here to numerous mortifications in consequence of the poor salary in this expensive place: the table has ran down 15 per cent.—which depreciation falls mostly upon residents here. I have asked that my salary be raised to the same as those in France and England—it is just: and due to the Emperor here: where the salary is regarded as a mark of superior honor conferred upon them. Will you aid me in the matter in the senate this winter, as the subject of salaries will be before you? I was promised at least the additional sum of \$3000 by leading Republicans before I would consent to accept the Mission.

Your friend,

C. M. CLAY.

Hon. J. R. Doolittle, Wis., &c.:

N. B. Don't let them by any means reject our treaty here in the senate.

C.

P. S. Please ask Senators Chandler, Durkee and Bingham to aid you in my behalf. I have sent half of my family *home*, for economy's sake.

C.

EXECUTIVE CORRESPONDENCE OF GOVERNOR
JAMES K. POLK.

[Continued from page 284.]

Executive Department, Nashville, Feb. 20th, 1840.

To Gideon J. Pillow, President of the Columbia Turnpike Company.

Sir: I have received your letter of the 13th inst., requesting the issuance of forty-five thousand dollars in State bonds to your Company, or for its use. After a careful examination of the subject, and of the questions involved in your application, I am of opinion, that before any further bonds of the State can be issued, your Company must comply with the provisions of the Act passed at Nashville on the 25th day of January, 1840, entitled, "An Act to repeal all laws authorizing the governor of this State, to subscribe for stock in any Internal Improvement Company, on behalf of the State, and for other purposes." If your Company desire to have commissioners appointed in pursuance of the provisions of that Act, upon being notified by you of that fact, the appointment will be made.

I am very respectfully,

Your Ob't Serv't,

JAMES K. POLK.

Executive Department, Nashville, Feb. 28th, 1840.

To John W. Goode, Esq., Secretary of the Columbia, Pulaski, Elkton and Alabama Turnpike Company.

D'r Sir: I send you herewith a commission for Edward D. Jones and Andrew Gardner as commissioners to examine and inspect the work done on your road, and to perform the other duties required by law, *vice* James Patterson and Chas. C. Abernathy, heretofore appointed, and who are, as you inform me in your letter of the 24th inst., incompetent to act as such. Alexander Johnson, the other commissioner, resides near Col. Joseph Brown's, in Maury County, and is well qualified to dis-

charge the duties of commissioner. He is not, I am informed, interested, as a stockholder or otherwise, in the road.

I am very respectfully,

Your Ob't Serv't,

JAMES K. POLK.

Nashville, March 27th, 1840.

Hon. Levi Woodbury, Secretary of the Treasury.

Sir: I have received your letter of the 19th inst., with the papers inclosed, and have the honor to inform you that the sum of \$1,750, being the semi-annual interest due on \$66,666 2-3 of Tennessee State bonds, assigned to your department by the President of the Nashville, Murfreesboro and Shelbyville Turnpike Company, has this day been paid by the Company in specie, and placed to the credit of your Department in the Union Bank at this place.

I have the honor to be,

Very respectfully,

Your Ob't Serv't,

JAMES K. POLK.

Executive Department, Nashville, March 28th, 1840.

John Bell, Esq., Sheriff of Coffee County.

Sir: I have received your communication of the 14th inst., informing me that James Sartin, Isaiah Brown and Moses Sweden, who were severally charged with the commission of offenses against the laws of the State, had made their escape from the jail of Coffee County, where they had been confined, and requesting me to offer a reward for their apprehension. Before acting on the subject I desire to obtain more specific information in regard to the several offenses with which they stand charged. It is not stated in your letter when or where the alleged offenses were committed. If bills of indictment have been found against either or all of them, capias should be furnished. If no bills have been found, the proceedings had before the committing magistrate, or coroner's inquest, as the case may be, together with a statement of the degree of aggravation attending their respective cases, should be forwarded, that I may be enabled to judge of the propriety of offering a re-

ward, and of its amount. When the more specific information required is received, I will act promptly upon the application.

I am very respectfully,

Your Ob't Serv't,

JAMES K. POLK.

Executive Department, Nashville, March 28th, 1840.

Mr. Richard Hall, Marshall County:

Sir: I have received a communication from yourself and others, bearing date of the 20th of February last, requesting me to offer a reward for the apprehension of Richard M. Hall, charged with the murder of his mother in Marshall County in the month of June last. Before acting on the subject, I desire to obtain more specific information in regard to the commission of the offense with which he stands charged than is given in your communication. The time and place of committing it, and the circumstances attending it, whether aggravated or not, should be particularly set forth. If a bill of indictment has been found against him, a copy should be furnished. If no bill has been found, the proceedings had before the committing magistrate, or coroner's inquest, if one was held, should be furnished, that I may be enabled to judge of the propriety of offering a reward, and of its amount. When the more specific information desired is furnished, I will act promptly on the application.

I am very respectfully,

Your Ob't Serv't,

JAMES K. POLK.

Nashville, March 28th, 1840.

Wm. Fitzgerald, Esq., Paris, Tenn.

D'r Sir: I have received your letter of the 4th inst., calling my attention to the application made in November last, for the pardon of *Simpson W. Alexander*, now confined in the Penitentiary upon a conviction for petit larceny. The case had not escaped my attention, but was considered at the time it was first laid before me. Though from the facts set forth in the petition, his sentence would seem to have been disproportioned to the offense charged, and his guilt *possibly* doubted, yet it ap-

peared that the same facts, and doubtless given much more circumstantially and in detail, were before the court and jury who convicted him. No new fact has been communicated to me, which was not before the court and jury who tried and convicted him; and it is not in my judgment such a case as will justify the executive interposition. When a fair trial has been had (as seems to have been the case in this instance) and no newly discovered fact or circumstance in mitigation or extenuation of the offense charged is presented to the executive, as a general rule, the good of society requires that the law should take its course. From this rule there may be exceptions, and thinking it possible that this may be such a case, my final action upon it was for some time suspended, and until in conversation with a gentleman from that part of the country, of whom I made inquiry, the impression left on my mind was that it was not a case proper for the executive interposition.

I am very respectfully,

Your Ob't Serv't,

JAMES K. POLK.

Executive Department, Nashville, March 30th, 1840.

George W. Thompson, Esq., President of the Pelham and Jasper Turnpike Company.

Sir: In reply to your two letters of the 29th ult. and 14th inst., I herewith transmit to you a copy of an Act passed at the last session of the General Assembly, entitled, "An Act to repeal all laws authorizing the governor of this State to subscribe for stock in any Internal Improvement Company on behalf of the State, and for other purposes," which will furnish you with all the information in my possession upon the point to which your inquiry is directed. By reference to the Act you will find the cases, and the terms and conditions upon which the several Internal Improvement Companies may, "by deed filed in the office of the Secretary of State, surrender the charter of such companies," or release the State from her subscription therein. No provision seems to have been made in the Act to authorize a surrender of a *part* of the work, or a release of the State from a part of her subscription, but on the contrary it is

expressly provided in the 8th section "that nothing contained herein shall be construed to authorize the company to diminish the extent of the work, for which the company was incorporated to make according to the charter." In one or two cases, the last legislature by a special Act authorized a partial surrender, and in a proper case made out would probably do so in your case. As the law now stands a surrender of a part of your road does not seem to be authorized.

I have the honor to be,

Very respectfully, your Ob't Serv't,

JAMES K. POLK.

Executive Department, Nashville, March 30, 1840.

Messrs. A. B. Carr and Buckley Kimbrough, Shelby County, Tennessee.

Gentlemen: I have received your letter of the 13th inst., requesting me to make a demand of his excellency, the governor of Louisiana, for the body of *Chester Streeter* and *D. Root*, charged by you to have been guilty of feloniously stealing, taking and carrying away from your possession in the County of Shelby in this State, in the month of February last, two negro-men-slaves, named Nelson and Edwin, of which you are the owner, and further representing that said felons have fled from justice, and are now within the limits of Louisiana. Before I can be authorized to make the demand which you request, of his excellency the governor of Louisiana, it will be necessary according to the provisions of the Act of Congress, in such case made and provided, that I should be furnished with a "copy of an indictment found," or if no indictment has been found, with "an affidavit made before a magistrate"—"charging the person or persons so demanded with the offense committed." It will be necessary that the demand made of his Excellency the Governor of Louisiana, should be accompanied with a copy of the indictment, if one has been found, or an affidavit taken before a magistrate, duly authenticated with the certificate and seal of the Clerk of the County Court. You are requested further to give me the name of the agent whom you desire to have appointed to receive the said Streeter and Root in the event of

their delivery by the Governor of Louisiana. Upon receiving either the copy of an indictment, or an affidavit, such as is required by the act of Congress, I will act promptly on your application.

I am very respectfully,

Your Ob't Serv't,

JAMES K. POLK.

Executive Department, Nashville, March 31st, 1840.

To G. Talcott, Lt. Col. Ordnance, Washington City.

Sir: In answer to your letters of the 15th of November and 27th of November last, requesting me to inform you what description of arms will be required by the State of Tennessee, for the quota of arms due from the United States for the years 1838, 1839 and 1840, I have the honor to request that the quota of arms which may be due this State, may be forwarded in muskets with the usual accouterments and equipments. You will be pleased to cause the arms due this State to be forwarded to "*Nashville, Tennessee*," to the address of "*General Julian Frazer, Quarter-Master General of the State of Tennessee*," and to my care.

I have the honor to be,

Very respectfully,

Your Ob't Serv't,

JAMES K. POLK.

[*To be continued.*]

McMINN CORRESPONDENCE ON THE SUBJECT OF
INDIAN TREATIES IN THE YEARS 1815,
1816 AND 1817.

[From the Tennessee State Archives.]

GOVERNOR McMINN TO SENATORS WILLIAMS AND CAMPBELL.

Executive Office, Nashville, Dec. 16, 1815.

John Williams, George W. Campbell, Esquires:

I have been informed that a deputation, consisting of the chiefs of the Cherokee nation, have it in contemplation to visit the city of Washington in the course of this winter, have therefore thought it my duty to bring the subject of a Treaty to their view and for that purpose take the liberty of appointing you as commissioners on the part of the State of Tennessee, by virtue of an Act making provision for the extinguishment of the Indian claim to lands within the limits of this State.

Colonel Meigs, whose absence may probably operate against our views, was originally appointed with standing power to act in behalf of the United States in conjunction with such commissioners as should be appointed by the State of Tennessee, who has stated to me since my arrival at this place that the Cherokee Indians were anxious to sell their claim below the mouth of Highwassey on the mouth of Tennessee river, but expressed an unwillingness to dispose of any other lands.

This tract, it is stated, contains upwards of 1,000,000 acres, and of this quantity, not more than from 150,000 to 200,000 acres are fit for cultivation, owing to its being situated immediately in the bend of Cumberland Mountains, and on being thus informed with respect to the views of the Cherokees I have determined to leave the subject of a treaty entirely at rest until I could ascertain whether the Highwassey country could not be included in the same purchase, within the bounds of which there

are about 2,250,000 acres, and taking soil water and commercial advantages into view will surpass the average value of the land forming the Holston Settlements (or more recently called East Tennessee) and will admit of being divided into two counties.

The aggregate amount of those two tracts is computed by William B. Lewis, Esq., at 3,382,250 acres, and when purchased from the Indians will certainly be an acquisition of very considerable importance to this State, particularly to the citizens of its eastern section, whose surplus products will have to pass through the tract of country last described, the safety and facility of which would be much promoted by extending the settlement on our southern boundary as near as possible to those which I trust will shortly be established in the Territory ceded to the United States by the Creek nation of Indians.

The present prospects of discussing the subject of a Treaty (provided the chiefs possess a competent power to dispose of their lands) seems to favor our limited resources in a very great degree, and I feel much flattered with a favorable result even if you should only be able to purchase the tract first mentioned, and should it not be in your power to purchase a single acre the small expense which will necessarily accrue will be infinitely more than balanced by opening an examination into a subject which has been for many years to me a source of much regret that it has been thus long delayed.

The description I have given you of the land desired to be purchased, as well the quality as the quantity, has been obtained from the best authorities I could procure, aided by my own limited knowledge. You have also the gross amount of the means vested by law, over which you and myself have a right to claim. You are clothed with all the power which the State of Tennessee can confer upon you, and it is confidently expected and believed that you will make such disposition of both the power and the means as under existing circumstances will produce the greatest possible good, and as no preceding arrangement had taken place between the State of Tennessee and the chiefs of the Cherokee nation whereon to form any systematic instructions, you will please consider the remarks which I have made as being the only materials with which I could furnish you, and

I hope you will not question my sincerity when I assure you that nothing can give me greater satisfaction nor lessen more my responsibility than to know that my communications are made to those whose judgment is competent to detect their errors and friendship sufficient to cover their foibles.

Very respectfully, your

Ob't. servant,

JOS. MCMINN.

SENATORS CAMPBELL AND WILLIAMS TO GOVERNOR MCMINN.

Washington, 18th April, 1816.

Sir: The undersigned, with a view to executing the trust reposed in them by your Excellency, considered it their duty to ascertain in the first place, the extent of the powers possessed by the deputation of Cherokee chiefs sent here, in relation to the deposal of lands claimed by their nation in the State of Tennessee. For this purpose application was made to Meigs, United States Agent for that nation and also the Secretary of War, to whom their general powers had been communicated. The result of this enquiry was to ascertain that they had no authority to dispose of any of those lands: as appeared by the written instructions given them by the principal chief of the nation, a copy of which is herewith enclosed. And when applied to by the Secretary of War, at the instance of the undersigned, to include a cession of that tract in our State north of the Tennessee river and west of the mouth of Hiwassee, in a general arrangement proposed to them on the part of the general government, they refused to deviate from their instructions, declaring they had no authority to treat on the subject, as will appear by the Secretary of War's letter to the undersigned herewith also enclosed.

They were also equally pertinacious in refusing a cession of those reserves held by them in the settled parts of our State as is shown by their communication to the war department on the subject. It was not therefore deemed advisable to pursue the subject further at this time or incur expenses which promised no advantageous result to the State.

The undersigned have to regret that owing to the circumstances above stated it has not been in their power to prosecute with more success the objects your Excellency had in view so very important to the interest of the State.

With very great respect,

They have the honor to be,

Sir,

Your most Ob't.,

G. W. CAMPBELL,

JOHN WILLIAMS,

His Excellency,
JOSEPH McMINN.

SECRETARY OF WAR TO SENATORS CAMPBELL AND WILLIAMS.

Department of War, 4th April, 1816.

Gentlemen: I have the honor to enclose a copy of the instructions given to the deputation of the Cherokees who came on to this place during the present session of Congress. From these instructions they would not consent to deviate. In the course of the negotiation they were offered a perpetual annuity of six thousand dollars for the lands lying south of the Tennessee, to which the Chickasaws also have some claim. This proposition was rejected without hesitation as was another for the cession of all their lands north of the Tennessee River.

Inclosed you will also receive a communication from the deputation on the subject of several reserves within the settled parts of the State of Tennessee. Should the State be disposed to obtain the cession of those reserves, Colonel Meigs will be directed to make the proposition to the nation in conjunction with such persons as may be appointed by the State of Tennessee.

I have the honor to be respectfully,

Your most obed't and

Very humble servant,

WM. H. CRAWFORD.

Hon'ble,

GEORGE W. CAMPBELL and

JOHN WILLIAMS,

Senators of the United States for the State of Tennessee.

GOVERNOR McMINN TO SENATOR WILLIAMS.

Knoxville, 14 July, 1816.

Colonel John Williams.

Sir: I am notified by Colonel Return J. Meigs, United States agent for Indian affairs, that a treaty will be held by order of the Secretary of War, to commence on the 20th inst. at the Cherokee agency.

The object of the treaty is to obtain from the Cherokee nation a cession of the land north of Tennessee River, which I deem of vital importance to the State of Tennessee, and, having commissioned you to negotiate with the Cherokee chiefs last winter at Washington City, I deem unnecessary to invest you with additional authority. Will therefore take the liberty of asking you to attend in character of commissioner on behalf of the State of Tennessee. For myself, I will attend in person, and should it become necessary will open a correspondence with you as to my opinion of the course most proper to be pursued in effecting the object in view.

Very respectfully,

Your obedient Serv't,

JOS. McMINN.

SENATOR WILLIAMS TO GOVERNOR McMINN.

Knoxville, 15 July, 1816.

Sir: Your communication of yesterday's date is received. Agreeable to your request, I will set out to-morrow for the Cherokee Agency. It affords me singular pleasure to learn that I shall have the pleasure of your company and the benefit of your council in the contemplated negotiation with the Cherokees.

I have the honor to be,

With great respect,

Your Ob't. Serv't.,

JOHN WILLIAMS.

GOVERNOR McMINN.

GOVERNOR MCMINN TO GENERAL JACKSON.

[Extracts from a copy of letter written to General Jackson.]

Kingston, August 6th, 1816.

Dear Sir: Your esteemed favor of the 2nd inst. came to hand yesterday evening, and in reply have to state that I attended at the Cherokee agency from 20th until 3rd inst., during which time I became so well acquainted with the character of the Cherokees and their white countrymen as to assure that the former evinced a much stronger disposition to dispose of their land than the latter; and at one period I did suppose we had obtained their full consent, but to my great mortification they announced on the morning of the 3rd inst., in full council of the whole nation (two chiefs excepted), that they had declined giving their final sanction to the sale of the land in question, as well those on the north as those on the south side of Tennessee River, in support of which they introduced many arguments, not only destitute of reason, but unworthy of communication. The convention was closed by the chiefs promising to instruct their deputation to renew it at the Chickasaw treaty, where they are bound to attend.

I have therefore to ask you to be good enough to bring this promise to their recollection under the authority of a commission which I will forward to you for that purpose; provided, you advise me of your willingness to accept it, in which case I will forward you a copy of the President's instructions and such other documents as will prove useful to you in the negotiation. As the treaty last alluded to will commence on the 1st September next, I have to express a wish that you advise me in relation to my request as early as possible, for should it not be consistent with your convenience or views of propriety, I certainly will attend myself. Though for the interest of my country and my own personal engagements at this time, I should very much prefer your acceptance.

Very respectfully, your Ob't Serv't.,

JOS. MCMINN.

GENERAL ANDREW JACKSON.

GENERAL JACKSON TO GOVERNOR McMINN.

Nashville, 12th August, 1816.

Sir: In reply to your communication from Kingston, I have to state that I will with pleasure undertake any negotiation with the Cherokee and Chickasaw nations in behalf of the State of Tennessee consistent with my appointment from the general government.

You will therefore forward me your power to act and instructions for my guidance as early as practicable.

I shall leave Nashville for the Chickasaw nation on the 20th instant.

With respect, your Ob't. Serv't.,

ANDREW JACKSON.

GOVERNOR McMINN.

GOVERNOR McMINN TO GENERAL JACKSON.

Knoxville, 30th August, 1816.

Sir: Your esteemed favor of the 12th inst., in answer to mine of the 30th ultimo, never came to hand until last evening, when I had everything in readiness to set out for the Chickasaw Treaty. But assure you, sir, I never was more gratified than to find myself disappointed, particularly from your frank acceptance of the commission for holding treaties with the Cherokee and Chickasaw Indians. With respect to the Chickasaws, I am not perfectly satisfied how far I am authorized to enter into arrangements with them for an extinguishment of their claim to lands within the State, more particularly as I am apprised of the extent of your power, derived from the general government, or of the views of the President of the United States. The result of my opinion on this subject shall form a part of my next letter to you; nevertheless, I do not hesitate in approving the justice and policy of the measure. For, sir, it seems to me a monstrous abuse of justice for our government to transfer the possession of the lands of those who perhaps have fallen in support of its dearest rights, to a set of vagrant hunters; and, as regards the Cherokees, once an unprincipled foe, and whose only interest in the soil was forfeited by ad-

hering with Great Britain. Such was not the case with the Chickasaws. They have not in any instance engaged in open war against the United States; yet that fact is not sufficient to entitle them to claim, at this time, from seven to eight millions of acres within the limits of Tennessee and from two to three millions of which is located, and great part of that granted very many years ago.

I will in the next place proceed agreeable to your request in laying down the following as your guidance in relation to the Cherokee claim:

You will propose to give them twenty thousand dollars for their entire claim north of Tennessee river, to include all islands opposite thereto; five thousand dollars to be distributed as presents to the nation in general; five thousand dollars to be given as an equivalent for improvements, to be divided by lots, Lowry and Major Brown amongst the occupants; though I submit whether the better policy would not be to recede from the disposition of the first named five thousand dollars, and attach it to the sum designated for the improvements, which in the whole would make \$10,000. I propose this alteration for the following reasons: First, from witnessing a general disposition of sympathy in the council in favor of settlers on; and, secondly, I believe that sum placed in the hands of the men just named will insure their consent to remove, upon which our success very materially depends, for it is to be remarked that those men form a part of the population on the land in question. This plan will also, as I hope, remove another difficulty out of your way, by putting to rest a favorite desire for holding separate claims by reservations, which I conceive not only inconsistent with our interest, but it is at variance with the instructions from the war department. However, in continuation on the subject of reservations, I will submit whether we ought not to prefer making a few to the principal men on those lands to a total rejection of the treaty. But if made, limit their duration to a definite number of years, say, five or ten, which principal may be urged as the time given for improving lands amongst the whites. And if asked, "Why fix on any particular time?" would it not be correct to say that those lands have been

granted long ago by the State of North Carolina to our fellow citizens, who cannot be longer restrained from their occupation; that if they were the property of the United States perhaps a different policy might be pursued? Though I beg you to consider those remarks on the transfer of five thousand and on improvements as subjects for your own discretion.

Should you be able to conclude a treaty under the terms proposed, you will make the amount given chargeable on the Treasury of the United States in sixty days after the treaty receives its ratification, as well by the State of Tennessee as the United States; the mode of payment being thus expressed by the Secretary of War, who has also directed that the expense shall be divided between the United States and the State of Tennessee, according to the quantity of land each may receive—for adjusting which you will please appoint some person to act with Colonel Meigs. In case the Cherokees should feel indisposed to enter into treaty with you, I beg you to state distinctly the proposals and obtain an explicit answer from them if you can.

With high consideration,

Your obedient, humble, etc.,

JOS. McMINN.

GENERAL JACKSON.

GOVERNOR McMINN TO GENERAL JACKSON.

Knoxville, 3rd Sept., 1816.

Dear General: Having stated in my letter of the 30th ult. that I would communicate my views in relation to the Chickasaw claim, now come to the following conclusion, by stating that I entertain a hope that you are authorized by the general government to negotiate a treaty for the whole of their claim, or, at least, to that lying north of Tennessee River.

But, sir, if I knew the fact to be otherwise, I should feel a strong disposition to invite you to enter into treaty. There never was a moment equally auspicious with the present for purchasing those lands, so highly important to the interest of the State of Tennessee. First, the consideration of expense in assembling those Indians being defrayed by the United States, who will also be bound in the first instance for payment of the

lands. With this view of the subject, all other considerations to the contrary notwithstanding, I feel perfectly satisfied in taking an equal share of the responsibility with you, either by your acquiring from them in the form of a conditional contract the price they would ask for their land, on the north of Tennessee River, or by your entering into an absolute stipulation conditioned only for its ratification by the general government, and also of the State of Tennessee; if you succeed in the latter of these cases, I feel very confident that the citizens of Tennessee would derive benefits of the most essential and important character. And if such be your views and prospects of this all-important object, I propose that you and myself, in the name of the Supreme and in behalf of the whole people of Tennessee, unite our hearts and utmost exertions in endeavoring to execute a work which will not only be to the highest interest to the present, but to succeeding generations. And as time will not permit us to consult the wishes of the people, you will please act according to circumstances under the best convictions of your own mind, not only in the sum you will propose to give for these lands, but in everything that relates to the transaction, and leave our motions, as well as actions, to the decision of a magnanimous people, whom you and myself have always found for these thirty years past to be extremely profuse of their favors and prone to be content with the acts of their public servants.

With very great respect, I am

Your Ob't and humble Ser't,

Jos. McMinn.

GENERAL JACKSON TO GOVERNOR McMINN.

Chickasaw Agency, September 15th, 1816.

Sir: On the evening of the 13th your instructions reached me. Before I received them we had made propositions to the Cherokees and Chickasaws for their claim on the south and on the north side of Tennessee. Every argument was used that our minds could suggest, both on the score of interest and policy. On the south side the Cherokees at last consented to yield. On the north they said they could not, the whole na-

tion was opposed to it, and when they gave up on the south if they also yielded their land on the north side they would be too much confined; and if they would agree to such surrender they would be put to death by the nation.

On last evening we concluded a treaty with them for the cession of their claim on the south side, conditioned that the nation in council at Turkey Town, to be convened on the 28th inst., ratify the same, and if the national council do not there meet us, that it is to be taken as a full ratification by the nation, and sent to the President as such. I hope we will get a final answer from the Chickasaws to-day, and hope we will get a surrender of all their claim on the south side included within the line, as run by General Coffee, and a complete surrender of all their claim on the north side. This will be a valuable acquisition, both as it respects the strength and defense of our country by uniting it with the lower country, as well as bringing into the treasury large sums, and giving peaceable possession to many of our citizens who have been too long kept out of their just rights by the blinded and mistaken policy of our government.

As soon as the Chickasaws give us a final answer I shall communicate the result to you, and in the arrangement will pursue your instructions as they relate to the interest of the State over which you preside.

I am respectfully

Your most Ob't Serv't,

His Excellency,

ANDREW JACKSON.

JOSEPH McMINN.

GENERAL JACKSON TO GOVERNOR McMINN.

Nashville, Oct. 16, 1816.

Dear Sir: I reached this place the 12th instant and received your letter from New Canton of the 25th ultimo. I have only a moment to spare to say to you that we have obtained from the Cherokees and Chickasaws all disputed territory on the south of Tennessee and all the Chickasaw claim north of that river. The Cherokees would not cede their claim north of the Tennessee, but are inclined, and, as I believe, will shortly tender

to the United States their whole territory where they now live for lands west of the Mississippi. They say if they sell the land north of the Tennessee they will not have sufficient area left to obtain by barter a sufficient country west of the Mississippi for their whole nation. We offered them at Turkey Town an annuity of four thousand dollars for two years for their claim on the north side, and five thousand dollars for improvements, or a reservation of them, to which they would not accede.

The land ceded by the Chickasaws is of great importance, that lying within the State being within the Congressional District. The commissioners were of opinion that the annuity should be paid by the United States, and have thus stipulated. When leisure presents, I will write you more fully.

I am re'pectfully,

Yr. Mo. Ob't Serv't,

His Excellency,

ANDREW JACKSON.

JOSEPH MCMINN.

GOVERNOR MCMINN TO THE SECRETARY OF WAR.

Executive Office, Knoxville, 20th Oct., 1816.

Sir: I do myself the honor of addressing you on the subject of a treaty with the Cherokee Indians, authorized by your order of the 27th May last, for extinguishing their entire claim to land on the north side of Tennessee River.

According to existing statutes Tennessee was called upon to participate in the expense, and by the same authority became vested with a qualified power to aid in the formation of treaties within a given space.

Colonel John Williams was therefore appointed, who, with myself, attended at the Cherokee Agency in the latter part of July, when your instructions were read and explained, and the sum total ordered by you to be given was distinctly proposed by Colonel Williams, in the precise manner contained in your instructions.

The negotiation notwithstanding resulted contrary to our earnest wishes, and even to our expectation, which was generally entertained in the latter stage of the business. The close took place on the 3rd of August, or rather the adjournment, as

the Indians proposed that we should have another talk prior to Colonel Williams setting out for Washington City, and for the result of which I beg leave to refer you to that gentleman.

In the meantime, however, I determined to make one other experiment with them at the Chickasaw Agency, and for that purpose I obtained the favor of General Jackson under a special commission to renew your proposition of the 27th May, to which General Jackson made the following report: "The Cherokees would not sell their claim north of Tennessee, but are inclined, and, as I believe, will shortly tender to the United States their whole territory where they now live, for lands west of the Mississippi. They say if they sell our land north of Tennessee River we will not have sufficient area left to obtain by barter a sufficient country west of the Mississippi for their whole nation." Thus, it seems, that part of the negotiation is ended.

Since the policy of the Cherokees appears to be in favor of exchanging territory, I would beg leave to be indulged in suggesting to your Honor the propriety of renewing to them a proposition made during the administration of Mr. Jefferson for an exchange of land in the Arkansas country for land in their nation, with such modifications as you may deem expedient. And I will here ask your permission to offer one or two for your consideration.

First, that each able-bodied male Cherokee embracing the plan of exchange shall be furnished with a good, new rifle gun, with sufficient powder, lead, etc., and say to those who choose to remain where they now reside, that the head of each family shall have 640 acres of land, to them, their heirs, etc., during their continuance thereon; and each Cherokee Indian being the head of some family shall be considered as entitled to all the rights of free citizens of color, and subject to the payment of taxes for land, etc.

And if any of the Cherokees to whom lands have been thus attached, their heirs or legal representatives, shall incline to dispose of the same with its improvements, they shall be at liberty to sell, but to no other person than an American citizen, and that on a lease of five years, and at the expiration of which

lease the land shall revert to the United States, unless it should lie within the limits of some individual State, the legislature of which shall dispose of such lands at discretion.

Very respectfully, I remain,

Sir, your ob't serv't,

JOS. McMINN.

GOVERNOR McMINN TO THE SECRETARY OF WAR.

Executive Office, 26th Oct., 1816.

Sir: I take the liberty of forwarding one other extract from General Jackson's letter to me of the 16th instant, in the following words:

"We have obtained from the Cherokees and Chickasaws all the disputed territory on the south side of Tennessee and all the Chickasaw claim north of that river. This tract of country is the one which excited so much sensibility within the State of Tennessee through the course of last summer, and it was not until the views of the General Government were in some measure disclosed that its fury could be repelled; but, sir, at the present the most zealous and turbulent are hushed into a pleasing silence, and the former high confidence reposed by the citizens in the executive and head of departments, so far as I see and hear, is entirely restored, and, for myself, I most ardently regret its absence for a moment.

"I presume I stand enrolled in your office as one of the discontented, and I became so from having a very ancient and tolerably accurate knowledge of the country, and the vast importance it would be to the nation at a period perhaps not very remote from the present, and this opinion will be demonstrated should a state of war render it necessary to march an army to Mobile or its neighboring points of defense. To have the possession we now enjoy of this country will not only facilitate, but will render secure the transportation of military stores to a more satisfactory extent than if taken through the dominions of any nation, however well disposed.

"But there is a sound reason of at least equal weight with the preceding one. This immense territory will enable us to consolidate our settlements from Lake Erie on the north to the St.

Marys and Mobile on the south. These being the two extremes of the nation and liable to attack by our late as well as our anticipated enemy, renders the acquisition of this country valuable almost beyond description.

"My third and last reason why I feel so very solicitous that the Indian claim should be extinguished to the country in question was for the special benefit of my fellow citizens of Tennessee. The possession of that country will enable not only the citizens of Tennessee, but also those of the western counties of Virginia, to find a market for their surplus produce and domestic manufactures infinitely nearer home than any other which has or ever will be discovered."

My object in addressing this letter was, in the first place, to point out to your view some of the national and special advantages which I have supposed would result, and if you conceive the position to be founded in truth and national policy, I pray you to have the goodness to believe that this formed the only motive from which I acted; and the copy of my letter addressed to General Jackson, which I have already presumed is in your office, is the only paper in existence written on this subject to which my signature does appear, except what I have previously written to General Jackson; and on the score of private interest in relation to this subject, I have not now, nor do I ever expect to possess to the amount of one cent.

In the second place, I beg leave to tender to the President of the United States, and to you as the head of the war department, my grateful obligations, my entire approval of, and my high esteem for the able, frank and friendly manner in which a period was placed to the first and only transaction through the whole of Mr. Madison's administration which did not receive the warm and decided approbation of the citizens of Tennessee, whose cheerful acquiescence in the present instance I beg leave to enroll with that of,

Sir, your very humble and

Most devoted servant,

Honorable,

WILLIAM H. CRAWFORD,

Secretary Department of War.

JOS. McMINN.

GOVERNOR McMINN TO COLONEL LOWREY.

Knoxville, 30th Dec., 1816.

Colonel John Lowery.

Sir: The ill state of my health at present prevents me from calling on you upon the subject of a visit to the Cherokee nation.

In order to give you as little trouble as was consistent with the nature of the enterprise, I have written to a considerable number of the chiefs, whose letters are open for your perusal, and will explain my views in relation to effecting an exchange of lands on the Arkansas River for lands in the Cherokee nation as fully as though I had written you separately on that subject. I wish you to proceed without loss of time to hand those letters addressed to the chiefs, with the one written to Colonel Meigs, who I know will confer freely with you, and render you every aid in his power. It is my particular desire that you should have a public audience with the chiefs in their assembled capacity, which would stamp a character upon the measure and give scope and weight to your influence with them. It must be distinctly stated that those who choose to remove will be furnished with rifles, etc., as well as the means of removing; that a tract of country will be laid off for them on the Arkansas River, but they must surrender to the United States an equal quantity of land where they now live; and to those who choose to remain where they are now settled 640 acres of land will be laid off for each family, but it must be understood that they will become citizens of the United States, and instead of following the chase for their support they will pursue habits of industry and civilized life; and in conclusion, assure the whole community that their Great Father, the President of the United States, will continue to hold them fast by the hand, and provide for their wants and comforts, as well those who remain as those who remove.

I will calculate with certainty on hearing from you so soon as you accomplish the object which I have committed to your discretion and care, and should we not succeed at the present, I shall console myself under a hope which cannot be shaken,

that as the cause is strongly supported by humanity as regards the Cherokees, and interwoven with the best interests of our country, no failure in the ultimate means for its accomplishment has a right to be looked for.

Very respectfully,

Your Ob't Serv't,

JOS. McMINN.

COLONEL LOWREY TO GOVERNOR McMINN.

Maryville, 13th January, 1817.

Sir: Agreeable to your request of the 30th December ult., I carried the letter to the different Cherokee chiefs, to whom they were directed, all except the Ridge, who was absent. I had but little trouble in delivering them, having the good fortune to meet with them at the Agency, where we had a council which lasted several days. The subject you had in view was laid before them by Colonel Meigs, together with what assistance I could render him, and they took time to deliberate on the matter, and, while they had it under adjustment, considerable industry was used to assist them in their deliberations, and prepare their minds for the much wished for result. Mr. John Rogers, who had lately returned from the Arkansas, was of much service amongst them; he is determined immediately to remove with all his substance and connection, and will take a number with him. The terms proposed were, "Make the exchange, and then go who will, and you shall be provided for there;" or, "Remain who will, provided you will become citizens and be under our laws." The terms appeared so fair to them that they presently in a great measure accorded with it. I can at least assure you with safety that all the old chiefs present, before they left the ground, were very much enraptured with the proposition, in so far that the old Glass, Toochehor, the old King and Tesstipkee solicited my aid to help them bring it about; the Pathkiller and Charles Hicks were absent, sick, but I am apprehensive the matter will be viewed so important as to make it impossible to close it before the rise of Congress, nor do I believe the government is quite ready on her part; the rifles and utensils are not ready to deliver to them. I think Congress ought to pass a law

making the necessary appropriations, appointing commissioners, etc., in advance, for the Indians have appointed another meeting at the rising of grass, when I do most confidently believe the thing can be accomplished. Some pains must be taken with Charles Hicks. I am told he rather was against the measure, but if some person of his acquaintance would converse with him on the subject, it would, in my opinion, set matters to right. You requested me to come to Knoxville on my return, but on that ground you must excuse me. My domestic affairs made it necessary for me to be at home this week, of which I can convince you when I see you. I shall give Colonel Williams my ideas on this subject also, as I hope you will in like manner.

I am yours with esteem,

JOHN LOWREY.

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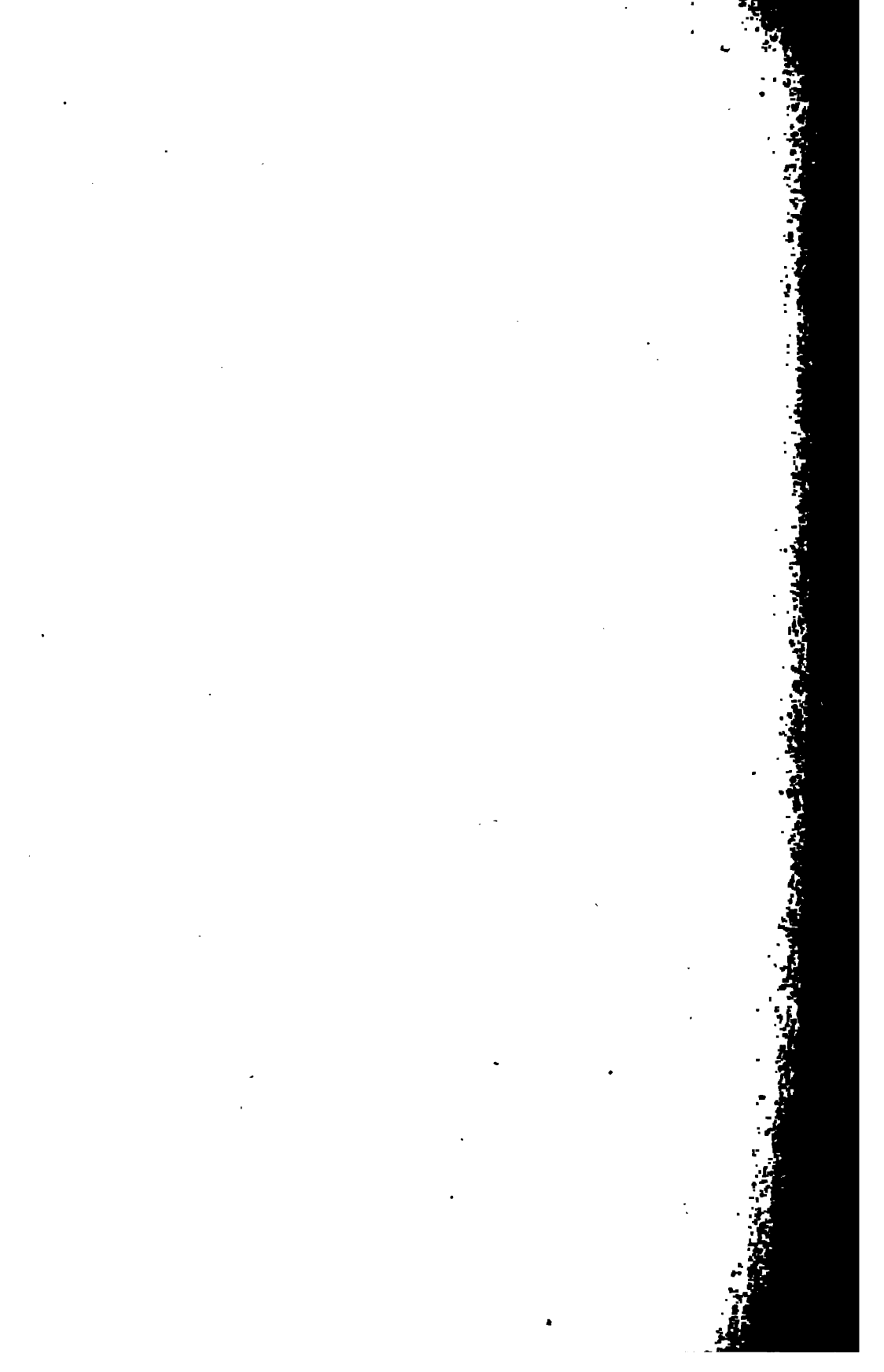
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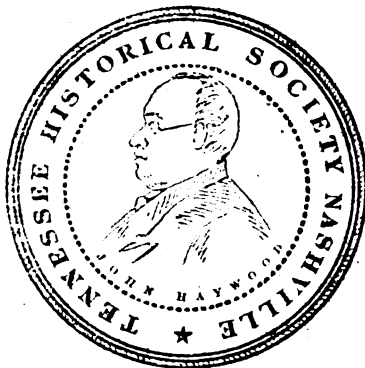
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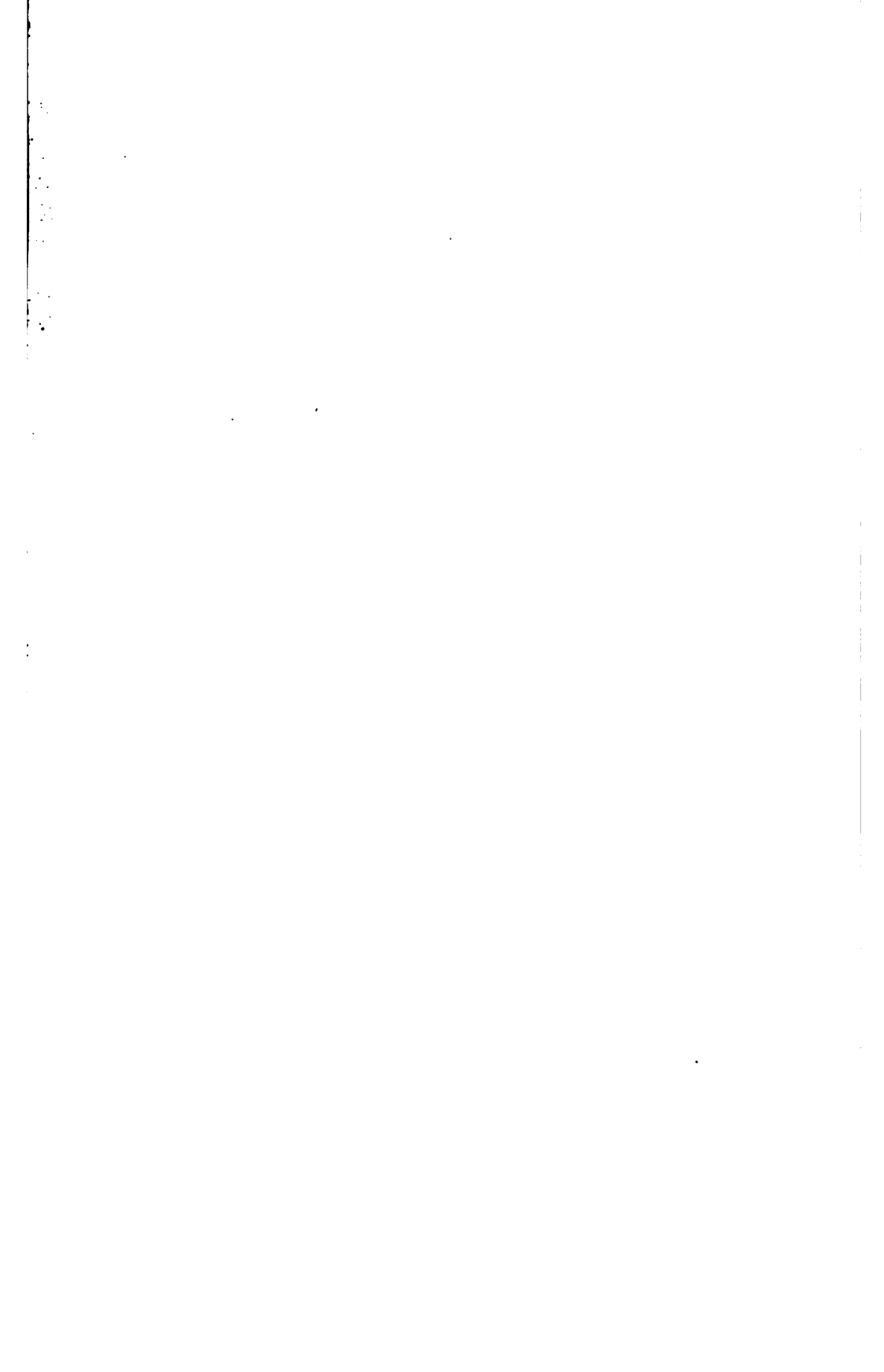


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